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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

UKRAINE

DRAFT LAW NO. 4533

ON THE CONSTITUTIONAL PROCEDURE *

() Unofficial translation*

LAW OF UKRAINE
On the Constitutional Procedure

Section I. KEY PROVISIONS

Article 1. Purpose of the Law

1. This Law determines the procedure for the exercise by the Constitutional Court of Ukraine (hereinafter – the Constitutional Court or the Court) of its powers during the consideration of cases within constitutional jurisdiction, the grounds and procedure for appealing to it, the procedure for considering cases, ruling and executing its decisions, providing and executing conclusions.

2. The Constitutional Court may detail in its own internal acts the procedure for implementing the provisions of this Law or regulate procedural issues not regulated by this Law, in particular:

- 1) the procedure for activities and case consideration by panels;
- 2) the procedure for drawing up draft acts of the Court, their preliminary review by judges with the observance of reasonable time limits;
- 3) the procedure for holding sessions and plenary sessions of the Court;
- 4) the procedure for recording sessions and plenary sessions of the Court, storing materials of Court sessions and plenary sessions (minutes, records, etc.);
- 5) the procedure for adopting and processing of documents related to constitutional proceedings submitted to the Court in the electronic form;
- 6) the procedure for forwarding by the Court of electronic correspondence, certifying the fact of its sending in cases stipulated by this Law.

3. Internal acts of the Court may not impose additional obligations on participants involved in constitutional proceedings and limit their rights provided for by this Law, nor expand the powers of the Court.

4. Internal acts of the Court adopted pursuant to paragraph 2 of this Article shall be published on the Court's website no later than the day following the day when they are adopted by the Court.

5. Constitutional proceedings in the Constitutional Court shall be carried out in pursuance to the law in effect at the time of a specific procedural act, case consideration and resolution.

Article 2. Court practices

1. The Constitutional Court shall carry out its activities based on the rule of law, the highest legal efficacy of the Constitution of Ukraine, independence, collegiality, publicity, openness, full and comprehensive consideration of cases, validity and binding nature of its decisions and conclusions.

2. The court shall act in accordance with the powers defined by the Constitution of Ukraine.

The order of constitutional proceedings, the procedure for considering cases and enforcing decisions and opinions is established by this Law.

Terms and provisions with their meaning and content not covered in this Law are used in the meaning determined in the Law of Ukraine “On the Constitutional Court of Ukraine”.

3. In considering cases, the Court shall be guided by the principles of the highest legal force of the Constitution of Ukraine and constitutional doctrine.

Article 3. Constitutional doctrine

1. Constitutional doctrine is a system of fundamental views on the Constitution of Ukraine and constitutional principles and values, which reveals the content of various constitutional provisions, their relationship, the balance between constitutional values and the essence of constitutional regulation as a whole. Constitutional doctrine is a set of legal positions of the Constitutional Court contained in its acts. In part not covered by the legal positions of the Constitutional Court, the constitutional doctrine also consists of generally accepted and established ideas, provisions, scientific views and theoretical generalizations on the subject of constitutional and legal regulation.

2. The Constitutional Court forms the constitutional doctrine in the motivating and/or operative part of the decision or conclusion. The court may formulate its constitutional doctrine in decisions to refuse the initiation of constitutional proceedings or to end constitutional proceedings on the case resolved by the Senate or the Grand Chamber.

3. The Constitutional Court is obliged to adhere to the constitutional doctrine formed by it in all its subsequent acts, to ensure its stability, coherence and consistency, except for cases specified in parts four to five of this article.

4. The Constitutional Court is obliged to harmonize the constitutional doctrine with the established case-law of the European Court of Human Rights and general principles of the European Union law, except when relevant provisions of the Constitution of Ukraine and the already established constitutional doctrine provide a higher level of human and civil rights and freedoms.

5. The Constitutional Court may amend, develop and specify the constitutional doctrine in its subsequent acts in case of contradictory views in Court acts, significant changes to legal regulations governing the Court in expressing the relevant position, or in case of objective grounds for the need to improve the protection of constitutional rights and freedoms, taking into account Ukraine's international obligations and subject to the Court's justification of the need for the same, a change in the constitutional doctrine.

It is prohibited to develop, change or specify the constitutional doctrine previously formed by the Court if it results in changes to the previously stated legal stance concerning the scope and procedure of public authorities' powers, if it requires narrowing of the content and scope of constitutional rights and freedoms of the human and a citizen or if it significantly affects the principles of separation of power into legislative, executive and judicial, (except when the need for this is justified by the need to protect the sovereignty and territorial integrity of Ukraine, or if the relevant regulations have undergone considerable changes since the previous legal stance was announced).

Article 4. Openness and publicity of the Court's activities

1. Consideration of cases at the plenary sessions of the Grand Chamber of the Constitutional Court (hereinafter referred to as the Grand Chamber), the Senate of the Constitutional Court (hereinafter – the Senate) is open, except when the in-camera part of these sessions takes place, a decision is being made, an opinion is being issued, or the Court ruling is being passed.

A closed plenary session is allowed if consideration of the case in a public plenary session may lead to the disclosure of a state secret and (or) other information protected by law. A closed plenary session is subject to the issue of a ruling by the Senate, Grand Chamber.

2. Persons who have expressed a wish to be present at the public part of the plenary session of the Grand Chamber, the Senate, shall be admitted to the Court premises and to the Court Chamber in accordance with the relevant internal Court regulations.

3. Representatives of mass media accredited in the Court may make video and photo recordings, record audio of the public part of the plenary session of the Grand Chamber, the Senate in the manner prescribed by the relevant internal Court regulations.

Article 5. Powers of the Court

1. The Court powers shall include:

1) resolving issues of compliance with the Constitution of Ukraine (constitutionality) of the laws of Ukraine and other legal acts of the Verkhovna Rada of Ukraine, acts of the President of Ukraine, acts of the Cabinet of Ministers of Ukraine, legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea;

2) official interpretation of the Constitution of Ukraine;

3) submitting, at the request of the President of Ukraine or at least forty-five MPs of Ukraine or the Cabinet of Ministers of Ukraine, conclusions on compliance with the Constitution of Ukraine of current international treaties of Ukraine or those international treaties submitted to the Verkhovna Rada of Ukraine for approval of their binding nature;

4) submitting, at the request of the President of Ukraine or at least forty-five MPs of Ukraine, conclusions on the compliance of issues proposed for the all-Ukrainian referendum at the popular initiative with the Constitution of Ukraine (constitutionality);

5) submitting an opinion on the observance of the constitutional procedure for investigating and considering a case on the removal of the President of Ukraine from office by way of impeachment within limits specified in Articles 111 and 151 of the Constitution of Ukraine;

6) giving an opinion, at the request of the Verkhovna Rada of Ukraine, on the compliance of the draft law on amendments to the Constitution of Ukraine with the requirements of Articles 157 and 158 of the Constitution of Ukraine;

7) submitting, at the request of the Verkhovna Rada of Ukraine, an opinion on the violation by the Verkhovna Rada of the Autonomous Republic of Crimea of the Constitution of Ukraine or Ukrainian laws;

8) resolving issues of compliance with the Constitution of Ukraine and Ukrainian laws of regulations adopted by the Verkhovna Rada of the Autonomous Republic of Crimea upon the petition of the President of Ukraine pursuant to part two of Article 137 of the Constitution of Ukraine;

9) resolving issues of compliance of Ukrainian laws (individual provisions thereof) with the Constitution of Ukraine (constitutionality) upon a constitutional complaint filed by a person who believes the law of Ukraine applied in the final court judgment in their case to contradict the Constitution of Ukraine;

10) other powers stipulated by the Constitution of Ukraine.

Article 6. Limits of the Court's powers

1. The Court shall review compliance of currently effective acts (individual provisions thereof) with the Constitution of Ukraine (constitutionality).

2. To protect and restore the person's rights, the Court shall review compliance with the Constitution of Ukraine (constitutionality) of the act (individual provisions thereof) that lost effect in cases contemplated by this Law.

3. The Court does not review compliance with Ukrainian laws of the acts issued by the Verkhovna Rada of Ukraine, the President of Ukraine, the Cabinet of Ministers of Ukraine, the Verkhovna Rada of the Autonomous Republic of Crimea, acts of other state authorities, authorities of the Autonomous Republic of Crimea and local governments, save for cases

stipulated by para. 28, part one of Article 85 and part two of Article 137 of the Constitution of Ukraine.

4. In considering cases concerning the constitutionality of acts (individual provisions thereof), the Court is not limited to arguments in constitutional submissions, petitions and complaints from relevant authorized entities.

5. When considering a case on a constitutional submission, petition or complaint, the Constitutional Court may not go beyond the subject of the constitutional proceedings, nor declare unconstitutional acts (individual provisions thereof) when their constitutionality was not questioned in the relevant constitutional submission, petition or complaint as stipulated by this Law.

Article 7. Language of constitutional proceedings

1. A constitutional submission, constitutional petition or constitutional complaint shall be submitted to the Court in the state language.

2. Court proceedings shall be conducted in the state language.

3. Court acts shall be registered and officially promulgated in the state language.

4. Participants to the constitutional proceedings who do not speak the state language must apply for an interpreter in due time. Such participants to the constitutional proceedings may propose to the Court the interpreter's candidacy by submitting documents proving the qualification of the latter.

5. The matter of the interpreter's participation shall be resolved by the Senate's or the Grand Chamber's ruling before the commencement of proceedings.

6. The interpreter shall be held criminally liable for knowingly incorrect interpretation and shall bear other liability provided by law for refusing to perform other assigned duties.

Article 8. Register of acts issued by the Constitutional Court of Ukraine

1. Acts of the Court referred to in Article 50 of this Law and related to constitutional proceedings are open and subject to publication in the Register of acts issued by the Constitutional Court of Ukraine (hereinafter referred to as the Register) in the electronic form on the day of their adoption, except as provided for in parts four and five hereof.

Dissenting opinions of judges are to be published in the Register in the electronic form on the day of their statement by the Judge.

2. To ensure open access to Court acts referred to in part one of this Article, as well as other acts and documents in cases provided for by this Law, the Court shall ensure the maintenance of the Register.

The Register must contain the date and time when the relevant act was published.

3. It is not allowed to remove Court acts from the Register or make any changes thereto, except in cases related to the need to correct a technical error made during the entry of the act in the Register or maintenance of the same, correction of errors in the text of the act in cases provided by this Law (the information on any such removals or changes to acts previously published in the Register must be specified therein).

4. Court rulings containing information concerning the in-camera part of the plenary session of the case shall not be made public in the Register.

5. The following information may not be disclosed in the texts of Court acts entered into the Register:

1) place of residence or stay of individuals, phone numbers or other communication means, e-mail addresses, taxpayer's record card numbers, details of identity documents, unique entry numbers in the Unified State Demographic Register;

2) vehicle registration numbers;

- 3) bank account numbers, payment card numbers;
- 4) information protected by conducting case consideration or commission of certain procedural actions in a closed plenary session;
- 5) any other information on cases stipulated by law.

Such information shall be replaced by alphanumeric symbols. Surnames, given names and patronymic of individuals, shall not be hidden in acts entered into the Register

6. The procedure for Register functioning shall be determined by the Regulation approved by the Constitutional Court.

Article 9. The automated document management system of the Constitutional Court of Ukraine

1. The Constitutional Court of Ukraine has an automated document management system of the Court, which enables to:

- 1) form the composition of senates and permanent boards in cases stipulated by this Law based on the principle of randomness (except the Court President, Deputy President of the Court, Secretary of the Board);
- 2) distribute cases between judges randomly, objectively and impartially in compliance with the principles of fair distribution of workload, priority and equal number of cases for each Judge-Rapporteur;
- 3) provide individuals and legal entities with information on the status of constitutional proceedings;
- 4) centrally store electronic versions of case files, texts of decisions and other procedural documents;
- 5) prepare statistical data;
- 6) register incoming and outgoing correspondence and stages of its movement;
- 7) other functions defined by the Regulations on the Court's automated document management system.

2. Constitutional submissions, petitions and complaints, as well as other statutory procedural documents submitted to the Constitutional Court, must be registered in the Court's automated document management system in the order of their receipt by the staff of the Constitutional Court Secretariat (hereinafter referred to as the Secretariat) on the day of document receipt (no later than the next business day in case of an electronic constitutional complaint or petition in the cases provided for by this Law).

3. The Judge-Rapporteur shall be appointed to consider a specific constitutional submission, petition or complaint by the Court's automated document management system during the registration of relevant documents based on the principle of probability, which takes into account the number of cases pending before judges, judges on leave, sick leave or business trip. Once a Judge or a Panel of Judges is appointed to consider a particular case, it is not allowed to amend the registration data concerning this case, nor delete this data from the Court's automated document management system.

During the proceedings, the Court may order to refer a constitutional submission, petition or complaint to the Secretariat for redistribution in order to appoint a new Judge-Rapporteur. Such a ruling is passed by a majority of judges involved in the case.

4. The Court's automated document management system shall be maintained by the Secretariat. Access to the Court's automated document management system is granted to judges and Secretariat staff in accordance with their functional responsibilities.

5. Unlawful interference with the operation of the Court's automated document management system shall result in liability established by law.

6. The procedure for the functioning of the Court's automated document management system shall be determined by a Regulation approved by the Constitutional Court.

7. Reports on the results of the automated distribution of constitutional submissions, petitions or complaints shall be subject to mandatory publication in the Register of Court Acts.

The report must include information on:

- 1) date and time when submission, petition or complaint was registered;
- 2) date and time of the automated distribution of the case;
- 3) any circumstances that affected the probability of Judge appointment;
- 4) the results from the random number generator;
- 5) a designated Judge-rapporteur and judges excluded from the automatic distribution (indicating reasons for their exclusion);
- 6) other information specified by the Regulations on the Court's automated document management system.

Article 10. Organisational arrangement of the Court

1. The Court shall consist of the Grand Chamber, two senates and six panels.
2. The Grand Chamber, senates, and panels shall act as the Constitutional Court within the powers defined by this Law in respect of constitutional proceedings.
3. Representative, organisational, administrative functions shall be performed by the Court President, Deputy President of the Court, and secretaries of the panels.
4. The Grand Chamber, the Senate, and the Panel shall have the status of Court bodies.

Article 11. The Grand Chamber

1. The Grand Chamber shall be composed of all judges of the Constitutional Court.
2. The Grand Chamber shall consider issues concerning:
 - 1) compliance with the Constitution of Ukraine (constitutionality) of the laws of Ukraine and other legal acts of the Verkhovna Rada of Ukraine, acts of the President of Ukraine, acts of the Cabinet of Ministers of Ukraine, legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea;
 - 2) official interpretation of the Constitution of Ukraine;
 - 3) compliance with the Constitution of Ukraine of current international treaties of Ukraine or those international treaties submitted to the Verkhovna Rada of Ukraine for approval of their binding nature;
 - 4) compliance of issues proposed for the all-Ukrainian referendum at the popular initiative with the Constitution of Ukraine (constitutionality);
 - 5) observance of the constitutional procedure for investigating and considering a case on the removal of the President of Ukraine from office by way of impeachment within limits specified in Articles 111 and 151 of the Constitution of Ukraine;
 - 6) compliance of draft law introducing amendments to the Constitution of Ukraine with requirements of Articles 157 and 158 of the Constitution of Ukraine;
 - 7) violation by the Verkhovna Rada of the Autonomous Republic of Crimea of the Constitution of Ukraine or Ukrainian laws;
 - 8) compliance of regulations issued by the Verkhovna Rada of the Autonomous Republic of Crimea with the Constitution of Ukraine and Ukrainian laws;
 - 9) compliance of Ukrainian laws (individual provisions thereof) with the Constitution of Ukraine upon constitutional complaints in the event when the Senate refuses to consider the case leaving it for consideration by the Grand Chamber in the cases specified by this Law;
 - 10) other powers stipulated by the Constitution of Ukraine.

3. The powers of the Grand Chamber shall also include the resolution of procedural issues arising during the constitutional proceedings under this Law.

Article 12. Senate

1. The Senate shall consist of nine judges of the Constitutional Court.

The Senate shall be deemed competent provided it includes at least six judges of the Constitutional Court.

2. The composition of senates is formed using the Court's automated document management system (except for the President and Deputy President of the Constitutional Court).

The Senate shall hear cases if it consists of at least six judges of the Constitutional Court.

Sessions of the Senates shall be presided by the President and Deputy President of the Constitutional Court respectively, and in their absence – by the oldest Judge who is a member of the relevant Senate

3. The Senate shall consider issues of compliance of Ukrainian laws (individual provisions thereof) the Constitution of Ukraine (constitutionality) upon constitutional complaints, as well as other issues specified by this Law.

4. Judges of another Senate may be involved in the Senate to consider a specific case using the Court's automated document management system (not exceeding the maximum number of judges in the Senate participating in the case determined according to the first paragraph of part one of this article), including if the application for recusal (self-recusal) was satisfied in relation to a Judge who is the Senate member.

Article 13. Panel

1. The Panel shall consist of three judges of the Constitutional Court.

The Court shall form panels within senates using the Court's automated document management system. If the Panel is not competent due to insufficient members, the Judge from another Panel shall be temporarily included in it using the Court's automated document management system.

The same Judge may not be a member of several panels on a permanent basis.

The Court shall approve the Panel composition by the resolution.

2. Powers of the Panel shall include the resolution of issues related to initiating constitutional proceedings following a constitutional submission, petition or complaint.

3. The Panel shall, by a majority of votes, decide on the initiation of constitutional proceedings or on refusal to initiate constitutional proceedings in a case.

4. If the Panel issues a decision to start constitutional proceedings following a constitutional submission or constitutional petition, the Panel Secretary shall propose the Court President to convene a session of the Grand Chamber to consider issues related to such constitutional proceedings.

If the Panel refuses to initiate constitutional proceedings following a constitutional submission or a constitutional petition, the Panel secretary shall submit such constitutional submission or constitutional petition to the Grand Chamber to decide on the opening of constitutional proceedings.

5. When the Panel issues a decision to start constitutional proceedings following a constitutional complaint, the Panel Secretary shall propose the Chair of the relevant Senate to convene its meeting to consider issues related to constitutional proceedings.

If the Panel is not unanimous in its decision to refuse the initiation of constitutional proceedings following a constitutional complaint, the Panel secretary shall submit the

constitutional complaint to the Senate to consider initiating constitutional proceedings on the case.

6. A unanimous Panel ruling to refuse to initiate constitutional proceedings following a constitutional complaint shall be final.

7. The Panel session shall be deemed competent if most of its members who are judges of the Constitutional Court are present. Absent judges shall be entitled to send a written opinion on the issues considered by the Panel.

Article 14. Panel Secretary

The Panel Secretary shall be elected under the procedure established by internal Court regulations from among judges of the Constitutional Court who are members of the Panel.

2. The Panel Secretary shall:

- 1) convene meetings of the Panel and chair them;
- 2) propose to the Senate Chair to convene a meeting or a plenary session of the Senate, and to the Presiding Judge of the Grand Chamber – a session of the Grand Chamber;
- 3) perform other powers under this Law.

Article 15. Recusal (self-recusal) of the Judge

1. A Judge of the Constitutional Court may not be involved in the drafting, considering and adopting decisions, exercise other powers in matters where he/she has a real or potential conflict of interest.

2. If a Judge of the Constitutional Court has a real or potential conflict of interest, he/she must inform the Court in writing and withdraw within one business day from the moment when such conflict of interest is identified.

3. Individuals who participants or involved participants to the constitutional proceedings may demand recusal of the Judge of the Constitutional Court based on the same grounds.

4. Recusal (self-recusal) shall be applied, inter alia, when:

- 1) the Judge has a direct or indirect interest in the results of case consideration;
- 2) the Judge is a family member or a relative of individuals involved in the case;
- 3) after being appointed to office and following the commencement and before the end of case consideration by the Court, the Judge has publicly expressed his/her opinion on the subject of the constitutional submission, petition, complaint or otherwise publicly cast discredit on his/her objectivity and impartiality;
- 4) other circumstances cast doubt on the objectivity and impartiality of the Judge.

5. The nature of questions and remarks voiced by the Judge during the public part of the plenary session shall not constitute a ground for recusal (self-recusal) under paragraph 3, part four hereof (unless such questions and remarks contain direct allegations about the Judge's attitude to the subject of the case).

6. The application for recusal (self-recusal) shall be submitted in writing and shall be considered by the Court with the subsequent issue of the motivated ruling specifying the assessment of grounds underlying the recusal.

The ruling passed by the Court following the application for recusal (self-recusal) of the Judge shall be subject to immediate promulgation in the Register of Court Acts. Should such ruling contain information related to the closed plenary session or in-camera part of the plenary session, such ruling shall be promulgated concealing the protected data that were the reason for a closed plenary session and/or data related to the in-camera part of the plenary session.

The Court may not perform other procedural actions and give opinions until the case on Judge recusal (self-recusal) is considered.

7. The Court may declare the abuse of the right to recuse and leave the application for Judge recusal without action in case of repeated submission of ungrounded applications for recusal of the same Judge for the same reasons, applications containing inappropriate statements addressing either the Judge or the Court.

The decision to leave the application for recusal without action shall be made by the Court in writing or included in the minutes (with a subsequent presentation in writing and promulgation in the Register no later than on the following day).

Note. The terms "real conflict of interest", "potential conflict of interest" are used in the meaning given to them in the Law of Ukraine "On Prevention of Corruption".

Article 16. Participants and involved participants in constitutional proceedings

1. Participants in constitutional proceedings include subjects of the right to a constitutional submission, constitutional petition or constitutional complaint (an authorized person acting on their behalf) and a body or official that adopted an act under Court's consideration (hereinafter referred to as a participant in the constitutional proceedings), as well as bodies and officials, witnesses, experts, specialists, interpreters and other individuals involved in the proceedings by the Court, whose participation is necessary to ensure an objective and complete consideration of the case (hereinafter referred to as the involved participant in the constitutional proceedings).

2. The Panel, the Senate and the Grand Chamber shall issue a ruling on the involvement of bodies and officials, witnesses, experts, specialists, interpreters and other individuals to participate in a Panel meeting, a session or plenary session of the Senate or the Grand Chamber.

3. A person interested in the results of constitutional proceedings may submit a reasoned application to the Court requesting their involvement in the case as an involved participant in the constitutional proceedings, which the Court shall consider and issue a relevant ruling.

The Court may not refuse to engage a person as an involved participant in the constitutional proceedings if such person participated in the case where the final court decision was adopted that was later used as the basis for the relevant constitutional complaint.

4. In cases initiated upon constitutional complaints, succession is allowed on the general grounds provided by law.

Article 17. Rights and obligations of the participant in the constitutional proceedings

1. A participant in the constitutional proceedings (their authorized person, representative) shall be entitled to:

- 1) review case files;
- 2) give oral and written explanations;
- 3) express their views on the issues under consideration;
- 4) ask other participants in the constitutional proceedings questions with the permission of the presiding judge;
- 5) file motions;
- 6) file applications for recusal of the Judge;
- 7) have free and unimpeded access to the Court session and plenary session in the case, except for an in-camera part of the plenary session and cases when the participant, involved participant (an authorized person, representative) was removed from the courtroom for breach of discipline;
- 8) under this Law, the Court has powers to take certain actions, while the participant shall be entitled to file a motion for the same, which is then decided upon by a ruling;
- 9) enjoy other rights stipulated by this Law and internal Court acts.

2. The Senate or the Grand Chamber shall consider a motion of the participant in the constitutional proceedings submitted during a session, a plenary session in a courtroom or a separate deliberations room.

3. A participant in the constitutional proceedings is obliged to appear for a session, a plenary session of the Senate, the Grand Chamber, give trustful explanations, provide documents, materials and other information necessary for full and comprehensive case consideration. The participant in the constitutional proceedings shall be held liable as stipulated by law for the failure to provide information or knowing provision of unreliable documents, materials, other false information.

4. Participants in the constitutional proceedings and other individuals present in the courtroom may make audio and video recordings of the public part of the plenary session of the Senate, the Grand Chamber using portable technical devices in the manner prescribed by internal Court acts.

Article 18. Rights and obligations of the involved participant in the constitutional proceedings

1. The involved participant in the constitutional proceedings has the right to submit written explanations, which are then attached to case files, as well as review explanations given by other participants in the proceedings

2. When invited, experts, specialists, witnesses and other persons, whose participation should contribute to the objective and comprehensive case consideration, must attend a session or plenary session of the Senate, the Grand Chamber, give truthful explanations, provide documents, materials and other information necessary for full and comprehensive case consideration. Failure to provide information or the provision of knowingly unreliable documents, materials, other misleading information shall result in the liability for these individuals in the manner prescribed by law.

3. The involved participant in the constitutional proceedings shall also have the rights provided for in part one of Article 17 hereof.

Section II. APPEAL TO THE CONSTITUTIONAL COURT

Article 19. Forms of appeal to the Court

1. Forms of appeal to the Court include a constitutional submission, constitutional petition and constitutional complaint.

Article 20. Constitutional submission

1. A constitutional submission is a written motion submitted to the Court and requesting:

- 1) to recognize the act (individual provisions thereof) unconstitutional;
- 2) to give an official interpretation of the Constitution of Ukraine.

2. The constitutional submission shall specify:

- 1) the subject of the right to a constitutional submission;
- 2) information on the representative of the subject of the right to a constitutional submission;

3) documents and files referred to by the subject of the right to a constitutional submission, indicating the full name, number, date of adoption, source of the official version of the act;

- 4) a list of attached documents and files.

3. The constitutional submission on the constitutionality of an act (individual provisions thereof) shall indicate the act (specific provisions thereof) to be verified for compliance with the

Constitution of Ukraine and specific provisions of the Constitution of Ukraine against which the act (individual provisions thereof) shall be checked, as well as justification of allegations of the act's unconstitutionality (individual provisions thereof).

4. The constitutional submission concerning the official interpretation of the Constitution of Ukraine shall indicate specific provisions of the Constitution of Ukraine that require official interpretation and substantiate grounds that caused the need for such interpretation.

Article 21. The subject of the right to a constitutional submission

1. Under the Constitution of Ukraine, subjects of the right to a constitutional submission are: the President of Ukraine, at least forty-five Ukrainian MPs, the Supreme Court, the Verkhovna Rada Commissioner for Human Rights, the Verkhovna Rada of the Autonomous Republic of Crimea.

2. The application of the Ukrainian MP to revoke their signature on the constitutional submission has no legal consequences.

Article 22. Constitutional petition

1. A constitutional petition is a written motion submitted to the Court for an opinion on:

1) compliance with the Constitution of Ukraine of the current international treaty of Ukraine or an international treaty submitted to the Verkhovna Rada of Ukraine for approval of its binding nature;

2) compliance of issues proposed for the all-Ukrainian referendum at the popular initiative with the Constitution of Ukraine (constitutionality);

3) observance of the constitutional procedure during the investigation and consideration of the case on removal of the President of Ukraine from office by way of impeachment;

4) compliance of the draft law introducing amendments to the Constitution of Ukraine with requirements of Articles 157 and 158 of the Constitution of Ukraine;

5) violation by the Verkhovna Rada of the Autonomous Republic of Crimea of the Constitution of Ukraine or Ukrainian laws;

6) compliance of regulations issued by the Verkhovna Rada of the Autonomous Republic of Crimea with the Constitution of Ukraine and Ukrainian laws.

2. The constitutional petition shall specify:

1) the subject of the right to a constitutional petition;

2) information on the representative of the subject of the right to a constitutional petition;

3) documents and files referred to by the subject of the right to a constitutional petition, indicating the full name, number, date of adoption, source of the official version of the act;

4) a list of attached documents and files.

3. The constitutional petition concerning the conformity of an international treaty to the Constitution of Ukraine shall indicate specific provisions of the treaty to be verified for compliance with the Constitution of Ukraine and specific provisions of the Constitution of Ukraine against which the treaty is to be verified, as well as the justification of allegations regarding the unconstitutionality of the international treaty (individual provisions thereof).

4. The constitutional petition on the compliance of issues proposed for the all-Ukrainian referendum at the popular initiative with the Constitution of Ukraine (constitutionality) shall indicate issues whose constitutionality is being challenged and specific provisions of the Constitution of Ukraine against which these issues are to be verified, as well as the justification of allegations of inconsistency with the Constitution of Ukraine (unconstitutionality) of issues proposed for the all-Ukrainian referendum at the popular initiative.

5. The following shall be attached to the constitutional petition regarding the observance of the constitutional procedure for investigating and considering a case on removal of the President of Ukraine from office by way of impeachment:

- 1) materials on initiating impeachment of the President of Ukraine;
- 2) documents on the establishment and operation of a special provisional investigative commission of the Verkhovna Rada of Ukraine for the purposes of investigation, conclusions and proposals of this commission;
- 3) resources on the consideration by the Verkhovna Rada of Ukraine of conclusions and proposals submitted by the relevant provisional investigative commission;
- 4) a decision by the Verkhovna Rada of Ukraine accusing the President of Ukraine of committing treason or another crime;
- 5) a decision by the Verkhovna Rada of Ukraine upon the petition to the Constitutional Court.

6. The constitutional petition concerning the violation by the Verkhovna Rada of the Autonomous Republic of Crimea of the Constitution of Ukraine or Ukrainian laws shall substantiate allegations of the violation committed by the Verkhovna Rada of the Autonomous Republic of Crimea of the Constitution of Ukraine or Ukrainian laws.

7. The constitutional petition on the compliance of regulations adopted by the Verkhovna Rada of the Autonomous Republic of Crimea with the Constitution of Ukraine and Ukrainian laws shall indicate the act issued by the Verkhovna Rada of the Autonomous Republic of Crimea (individual provisions thereof) to be verified for compliance with the Constitution of Ukraine and Ukrainian laws; specific provisions of the Constitution of Ukraine and Ukrainian laws against which the act of the Verkhovna Rada of the Autonomous Republic of Crimea (separate provisions thereof) is to be verified, as well as substantiate allegations of non-compliance with the Constitution of Ukraine of the act adopted by the Verkhovna Rada of the Autonomous Republic of Crimea (separate provisions thereof).

Article 23. The subject of the right to a constitutional petition

1. Subjects of the right to a constitutional petition include:

- 1) the President of Ukraine – under paragraphs 1, 2, 6 of the first part of Article 22 hereof, which follows from Articles 137, 151 of the Constitution of Ukraine;
- 2) The Verkhovna Rada of Ukraine – under paragraphs 3, 4, 5 of the first part of Article 22 hereof, which follows from paragraph 28, part one of Article 85, Articles 151, 159 of the Constitution of Ukraine;
- 3) the Cabinet of Ministers of Ukraine – under paragraph 1 of the first part of Article 22 of this Law, which follows from Article 151 of the Constitution of Ukraine;
- 4) at least forty-five Ukrainian MPs – under paragraphs 1 and 2 of the first part of Article 22 hereof, which follows from Article 151 of the Constitution of Ukraine.

2. The application of the Ukrainian MP to revoke their signature on the constitutional petition has no legal consequences.

Article 24. Constitutional complaint

1. A constitutional complaint is a motion filed with the Court to review compliance with the Constitution of Ukraine (constitutionality) of the law of Ukraine (individual provisions thereof) applied in the final court judgement in a case of the subject of the right to a constitutional complaint.

2. The constitutional complaint shall contain:

1) surname, given name, patronymic (if any) of a citizen of Ukraine, foreigner or stateless person, registered residential address (or address of stay, address for correspondence), as well as phone number, e-mail address if any;

2) information on the authorized person acting on behalf of the subject of the right to a constitutional complaint (if the constitutional complaint is filed by a representative of the subject of the right to a constitutional complaint);

3) a summary of the final court judgement where relevant provisions of the Ukrainian law were applied;

4) a description of the relevant case consideration in courts;

5) specific provisions of the law of Ukraine to be checked for compliance with the Constitution of Ukraine, and specific provisions of the Constitution of Ukraine against which the compliance of Ukrainian law is to be verified;

6) substantiation of allegations regarding the unconstitutionality of the Ukrainian law (individual provisions thereof) indicating constitutional principles that were violated following the application of such law;

7) information on documents and resources referred to by the subject of the right to a constitutional complaint, copies of these documents and resources;

8) a list of attached documents and resources.

3. The law (individual provisions thereof) is deemed to be applied in the final court judgement of the subject of the right to a constitutional complaint if:

1) the law (individual provisions thereof) is directly applied in the final court judgement in the case;

2) the final court judgement in the case reproduces the content of the law (individual provisions thereof) while not specifying its details, or the court judgement text contains other information that allows identifying the law (individual provisions thereof), which governed the court in adopting a judgement;

3) the law (individual provisions thereof) is applied or its content is reproduced in other court judgements in the case, which were upheld (in the relevant part) by the final judgement in the case.

4. The subject of the right to a constitutional complaint shall attach a copy of the final judgement in the case to the constitutional complaint. The copy of the final judgement in the case, printed from the publicly accessible section of the Unified State Register of Court Decisions, may be attached to the complaint.

During the preliminary examination of the constitutional complaint, the Secretariat shall verify the conformity of the text in the attached copy of the final judgement in the case to its text entered into the Unified State Register of Court Decisions.

If the judgment is not entered into the Unified State Register of Court Decisions, a copy of the judgment certified as per the procedure established by the adopting court shall be attached to the constitutional complaint

5. A constitutional complaint and attached resources may be submitted electronically with an electronic signature affixed to them in compliance with the Law of Ukraine "On Electronic Documents and Electronic Document Circulation" by sending it to the official Secretariat's email or using any other method determined by the Court.

Any additional resources, explanations and motions from participants and involved participants in the constitutional proceedings may be filed to Court using the same procedure after the constitutional proceedings are initiated following a constitutional complaint.

The procedure for accepting and processing an electronic constitutional complaint, verifying the electronic signature by the Secretariat shall be established in internal acts of the Court.

6. In the constitutional complaint (or after the initiation of constitutional proceedings upon it), the subject of the right to a constitutional complaint (their authorized person, representative) may wish to receive electronic correspondence from the Court sent to their email in cases stipulated by this Law. In this case, the day following the day when any such correspondence was sent to the email shall be deemed the date of its delivery to the subject of the right to constitutional complaint.

The procedure for sending electronic correspondence by the Court, confirming the fact of such sending shall be established in internal acts of the Court.

Article 25. Subject of the right to constitutional complaint

1. The subject of the right to constitutional complaint is a person who believes that the Law of Ukraine (individual provisions thereof) applied in the final judgement in their case conflicts with the Constitution of Ukraine.

Legal entities subject to public law shall be subjects of the right to constitutional complaint in cases where they do not exercise their power (administrative) authorities, in particular where they do not:

- 1) act as power entities pursuant to the Code of Administrative Procedure of Ukraine;
- 2) act as a party of charge per the Criminal Procedure Code of Ukraine.

2. A constitutional complaint shall be signed by an individual or their authorized representative.

3. The constitutional complaint filed by a legal entity shall be signed by its manager or authorized representative. The powers of the manager shall be verified in the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Organizations.

Article 26. Admissibility of a constitutional complaint

1. A constitutional complaint shall be deemed admissible subject to its compliance with the requirements provided for by this Law, and if:

1) all national remedies have been exhausted (subject to the availability of a court judgment, adopted as part of the appellate review, which entered into force provided that the law stipulates the right to appeal the court judgment; and if the law allows the cassation appeal – a court judgment passed based on the results of cassation review);

2) no more than three months have elapsed from the date when the final judgment took force where the law of Ukraine (individual provisions thereof) was applied.

2. As an exception, a constitutional complaint may be accepted regardless of its compliance with the requirements set out in paragraph 2, part one of this article, if the Court deems its consideration necessary for reasons of public interest.

3. If the subject of the right to constitutional complaint misses a deadline for filing a constitutional complaint, the Court may, at their request, extend the time limit provided that it finds the reasons for failure to meet the deadline valid, except in cases where the omission of the time limit exceeds six months.

4. If the proceedings following a cassation appeal initiated by the Supreme Court was closed because the court judgment was not subject to appeal or the circumstances indicated as grounds for the cassation appeal were not confirmed during case consideration, the time limit provided for by paragraph 2, part one of this Article shall start on the date when the Supreme Court adopts a decision on the closing of cassation proceedings.

Article 27. Ensuring a constitutional complaint

1. When considering a constitutional complaint, the Court may, in exceptional cases, take measures to secure such constitutional complaint by issuing an enforcement order, which acts as an executive document

2. The basis for securing a constitutional complaint is the need to prevent irreversible consequences and irreparable damage to the subject of the constitutional complaint, if such consequences may occur in connection with the execution of the final judgment.

3. The method of securing a constitutional complaint is a temporary suspension of the judgment execution, a temporary ban on performing a certain action or another method of securing, which given all case circumstances will effectively contribute to preventing consequences referred to in part 2 of this Article.

4. The constitutional complaint may be secured at the Court initiative or following a motion from the subject of the right to constitutional complaint.

The issue of securing the constitutional complaint shall be decided by the Senate or the Grand Chamber considering the constitutional complaint.

If it is necessary to immediately prevent the consequences and damage provided for in part two of this Article, the Panel may decide on securing the constitutional complaint at the time of initiating the constitutional proceedings following the constitutional complaint and simultaneously refer the issue on securing such claim for consideration by the Senate.

Temporary securing of the constitutional complaint accepted by the Panel shall be effective for one month after the date when the enforcement order was accepted and shall lose effect after this time expires or when the Senate or the Grand Chamber adopt a decision to refuse in securing the constitutional complaint (whatever comes first).

5. The Court may revoke measures to secure a constitutional complaint at its own initiative, at the motion of a participant, involved participant in the constitutional proceedings or following a reasoned statement of another person interested in the outcome of the case.

6. Court decision in the case shall not serve as grounds for the enforcement order to lose effect. The enforcement order shall lose effect on the day when the decision to cancel such enforcement order is adopted.

Article 28. Preliminary examination of Court appeals

1. Appeals shall be sent to the Court by mail or submitted directly to the Constitutional Court Secretariat or electronically in cases stipulated by this Law.

2. Preliminary examination of Court appeals shall be carried out by the Secretariat. A preliminary examination of Court appeals may not include an analysis of their validity.

3. If the constitutional complaint does not meet the requirements of this Law, the Secretariat Chair shall decide to leave it without action.

The decision to leave the constitutional complaint without action shall indicate its shortcomings, the method and time limit for their elimination, which is ten days from the date when the decision to the constitutional complaint without action is served to a subject of the right to constitutional complaint.

Upon a motivated request of the subject of the right to constitutional complaint (their representative), the Secretariat Chair may extend the time limit for eliminating shortcomings in the constitutional complaint for a period not exceeding one month from the date then such decision is served to the subject of the constitutional complaint.

If the subject of the right to constitutional complaint has eliminated shortcomings in the constitutional complaint within the time limit established by this Law, it shall be deemed filed on

the day of its initial submission to the Court and referred for further consideration in accordance with this Law.

If the subject of the right to constitutional complaint has not eliminated shortcomings in the constitutional complaint within the time limit established by this Law, the Secretariat Chair shall return it to the subject of the right to constitutional complaint.

The return of the constitutional complaint by the Secretariat Chair shall not preclude its re-appeal to the Court in compliance with this Law.

Section III. OPENING AND CLOSING OF CONSTITUTIONAL PROCEEDINGS, MERGING AND SPLITTING CONSTITUTIONAL PROCEEDINGS

Article 29. Consideration of Court petitions by panels

1. A petition to the Court shall be heard by the Panel with the involvement of the relevant Judge-Rapporteur.

Article 30. Judge-Rapporteur in the case

1. A Judge-Rapporteur in a case shall be determined using the Court's automated document management system.

2. If the Judge-Rapporteur for good reasons (due to illness, business trip, leave, etc.) is unable to prepare case files within three months or his/her application for self-recusal or recusal is satisfied, the Panel Secretary shall refer the case for re-appointment of the Judge-Rapporteur in the case using the Court's automated document management system.

3. If several constitutional proceedings are merged, one Judge-Rapporteur may be appointed, who shall be determined in the decision on constitutional proceedings merging.

4. Judge-Rapporteur shall:

1) study issues raised in the petition and prepare case files for consideration by the Panel, the Senate, or the Grand Chamber;

2) request documents, materials, other information related to the case from the applicant, the Verkhovna Rada of Ukraine, the President of Ukraine, the Cabinet of Ministers of Ukraine, the Prosecutor General, courts, other state authorities, authorities of the Autonomous Republic of Crimea, local governments, officials, enterprises, institutions, organizations of all ownership forms, political parties, public organizations;

3) give instructions to relevant units of the Secretariat and set deadlines;

4) involve specialists for consultations, document research;

5) make proposals to the Senate, the Grand Chamber on appointing experts in the case, involving specialists in the constitutional proceedings, summoning officials, experts, specialists, witnesses, authorized persons acting on behalf of the subject of the right to petition, as well as persons whose participation can contribute to an objective and comprehensive case consideration;

6) exercise other powers determined by this Law and internal acts of the Court.

5. If the Judge-Rapporteur deems that in the open constitutional proceedings following a constitutional complaint, there are grounds for referring the case to the Grand Chamber pursuant to this Law, he/she shall submit for the Senate's consideration a draft resolution on the Senate's refusal to consider the case leaving it for the consideration by the Grand Chamber.

6. If the Judge-Rapporteur in the case becomes a member of another Senate, the Senate Chair shall refer the case to another Senate by proposing the Presiding Judge of the Grand Chamber.

7. In cases where the constitutional proceedings are opened upon a constitutional complaint, the Judge-Rapporteur may propose a subject of the right to constitutional complaint to answer questions related to such constitutional proceedings.

Article 31. Initiating constitutional proceedings on a case

1. Issues concerning the initiation of constitutional proceedings shall be decided during the sessions of panels, senates, and the Grand Chamber

2. The decision to initiate constitutional proceedings upon a constitutional submission or constitutional petition shall be ruled by:

1) The Panel;

2) The Grand Chamber – in case of disagreement with the Panel's decision to refuse the initiation of constitutional proceedings.

3. The decision to initiate constitutional proceedings upon a constitutional complaint shall be ruled by:

1) The Panel;

2) The Senate – in case of disagreement with the Panel's unanimous decision to refuse the initiation of constitutional proceedings.

4. The decision to initiate constitutional proceedings or refuse the initiation of constitutional proceedings shall be made by the Panel no later than one month after the appointment of the Judge-Rapporteur. This period may be extended during the Grand Chamber session at the motion of the Judge-Rapporteur or the Senate Chair.

5. The case for which the constitutional proceedings have been opened shall be considered by the Senate or the Grand Chamber, respectively during the plenary session within time limits and following the procedure established by this Law

6. The Judge-Rapporteur in the case shall ensure the commencement of case consideration by the Senate, the Grand Chamber within the time limits provided for in Article 36 of this Law.

7. The applicant shall be notified of the constitutional proceedings on the case within ten days after the decision was made to initiate such constitutional proceedings.

If the constitutional submission, petition or complaint does not specify the email of the representative of the subject of the right to constitutional submission, petition or complaint (their authorized person, representative), then along with the decision on initiating constitutional proceedings, the Senate shall ask the person concerned to provide information on their email address while explaining the content of Article 45 of this Law on the right to review case materials electronically.

Article 32. Grounds for refusing to initiate constitutional proceedings

1. Grounds for refusing to initiate constitutional proceedings include:

1) petition to the Court is filed by the wrong actor;

2) issues raised in the constitutional submission, petition or complaint are beyond the Court's jurisdiction;

3) the constitutional submission or constitutional petition does not comply with the requirements of this Law;

4) inadmissibility of the constitutional complaint;

5) the act (individual provisions thereof) whose conformity to the Constitution of Ukraine was challenged, has lost effect (save for cases stipulated by part two of this Article);

6) existence of a Court decision, opinion on the same subject of the constitutional submission, petition or complaint (save for cases stipulated by part five of this Article), as well as

Court rulings refusing to initiate constitutional proceedings or dismissing the same if they were passed based on paragraphs 1 and 2 of this part.

2. If the act (individual provisions thereof) is repealed or amendments are made thereto, this should not constitute grounds for refusing to initiate constitutional proceeding, unless:

1) the act (individual provisions thereof) that lost effect or was replaced had been given a surviving effect and is still applied to legal relations that emerged during the time of its validity (in the relevant revision);

1) the repeal of the law (individual provisions thereof) or amendments to the law that was challenged in a constitutional complaint do not restore violated rights and interests of the subject of the right to constitutional complaint while giving reasons to believe that sufficiently effective restoration of rights is not possible without case consideration by the Court (including when other effective remedies appeared after the law (individual provisions thereof) lost effect or was amended).

Peculiarities of the Court decision in case it finds the repealed law unconstitutional shall be determined by Article 56 of this Law.

3. The constitutional complaint shall be found inadmissible under paragraph 4, part one of this Article, if:

1) the law (individual provisions thereof) the constitutionality of which is challenged in a constitutional complaint was not applied in a final court judgment in a case of the subject of the right to constitutional complaint, taking into account requirements stipulated by part three of Article 24 of this Law;

2) the subject of the right to constitutional complaint did not exhaust effective remedies and/or failed to meet the deadline for submitting a constitutional complaint pursuant to the requirements in Article 26 of this Law;

3) the subject of the right to constitutional complaint failed to substantiate allegations concerning the constitutionality of the Law of Ukraine (individual provisions thereof) to the extent sufficient for the need to verify the constitutionality of such law (individual provisions thereof) to appear;

4) the subject of the right to constitutional complaint failed to specify constitutional principles that had been violated due to the application of the challenged law;

5) the constitutional complaint does not meet other requirements stipulated by Article 24 of this Law which prevents its subsequent consideration even after eliminating shortcoming in case the constitutional proceedings are initiated;

6) abuse of the right to file constitutional complaints.

In the decision refusing to initiate constitutional proceedings resulting from the fact that the content of the constitutional complaint was recognized as expressly unfounded, the Court specifies clearly motivated reasons for such lack of substantiation and assesses arguments in the constitutional complaint alleging the unconstitutionality of the challenged law (individual provisions thereof) and violations of rights of the subject of the right to constitutional complaint.

4. If the constitutional complaint by its form meets the requirements of this Law, the Court may not refuse to initiate constitutional proceedings provided that the court of general jurisdiction indicated that the challenged law (individual provisions thereof) was unconstitutional in its final judgment in the case of the subject of the right to constitutional complaint. In this case, the Court is obliged to rule on the merits of the constitutional complaint.

5. The Court may nor refuse to initiate constitutional proceedings on the grounds stipulated by paragraph 6, part one of this Article if the Court decision or opinion on the same subject of the constitutional submission, petition or complaint passed by the international judicial institution whose jurisdiction is recognized by Ukraine, finds a violation by Ukraine of its

international obligations, and such violation is directly related to the effect and application of the challenged act (individual provisions thereof).

Article 33. Ending the consideration of Court petitions

1. A petition to the Court, regardless of its form, may be withdrawn at the written request of the applicant at any time after the initiation of constitutional proceedings but before the Court adjourns to an in-camera part of the plenary session to hold a decision or give an opinion.

2. The decision to dismiss constitutional proceedings upon a submission that was withdrawn shall be passed by:

1) the Grand Chamber at its plenary session – in cases initiated upon a constitutional submission, petition and a constitutional complaint (in the event of the Senate's refusal to consider the case leaving it for the consideration by the Grand Chamber);

2) the Senate at its plenary session – in cases initiated upon a constitutional complaint.

3. If the Senate or the Grand Chamber considers that issues raised in the constitutional complaint are of particular public significance for the protection of human rights, the Court may refuse to discontinue the consideration of such a complaint even if the subject of the right to constitutional complaint applies for its withdrawal.

4. The Senate or the Grand Chamber shall close the constitutional proceedings on a case if, during the plenary session, the grounds for a refusal to initiate constitutional proceedings stipulated by Article 32 of this Law are identified.

5. Resignation of the President of Ukraine, against whom charges are brought, shall constitute a ground for dismissing constitutional proceedings on compliance with the constitutional procedure of investigation and consideration of the case on the removal of the President of Ukraine from office by impeachment.

6. In the decision to dismiss constitutional proceedings resulting from the fact that the content, substantiation and requirements of the constitutional complaint were recognized as expressly unfounded, the Court specifies clearly motivated reasons for such lack of substantiation and assesses arguments in the constitutional complaint alleging the unconstitutionality of the challenged law (individual provisions thereof) and violations of rights of the subject of the right to constitutional complaint.

7. The Court may not end the constitutional proceedings initiated upon a constitutional complaint if such constitutional complaint by its form meets the requirements of this Law and in the final court decision in the case of the subject of the constitutional complaint, the court of general jurisdiction pointed out the unconstitutionality of the challenged law. In this case, the Court is obliged to rule on the merits of the constitutional complaint.

Article 34. Merging and splitting constitutional proceedings

1. If the Court received several submissions concerning the same or related issues, and constitutional proceedings have been instituted following the same, the Senate or the Grand Chamber shall pass a decision to merge cases into one constitutional proceeding.

If constitutional complaints concerning the same or related issues are part of constitutional proceedings considered by different senates, the decision to merge them into one constitutional proceeding shall be adopted by the Grand Chamber. In this case, constitutional complaints merged into one constitutional proceeding shall be considered by the Senate, determined by the Grand Chamber.

If there are different constitutional complaints in the constitutional proceedings of the Senate and the Grand Chamber concerning the same or related issues, the decision to merge

them into one constitutional proceeding shall be made by the Grand Chamber. Constitutional complaints merged into one constitutional proceeding shall be considered by the Grand Chamber

2. If needed, during its plenary session, the Senate or the Grand Chamber may adopt a decision to split constitutional proceedings.

3. Decision to merge cases into one constitutional proceeding or split constitutional proceedings shall include motivated reasoning of the need to merge or split such proceedings.

Section IV. GENERAL PROVISIONS ON CONSIDERATION OF CASES IN THE CONSTITUTIONAL COURT

Article 35. Forms of constitutional proceedings

1. Cases for which constitutional proceedings were initiated shall be considered by the Court in writing or orally. The form of proceedings shall be determined by the Senate or the Grand Chamber.

2. The main form of proceedings before the Court is oral proceedings. In cases where constitutional proceedings were instituted upon constitutional complaints, the main form of case consideration is written proceedings.

3. At the time of filing a constitutional complaint or before the Court proceeds to the in-camera part of the plenary session, the subject of the right to constitutional complaint may lodge a motivated motion for oral consideration of the case before the Court with the subsequent ruling. In the absence of such motion, it is considered that the subject of the right to constitutional complaint does require case consideration in the oral proceedings.

4. Where the Court hears a case in the written proceedings, some issues may be considered during oral proceedings.

5. After the Court proceeds to the in-camera part of the plenary session, the Court may adopt a decision to continue the case consideration in oral proceedings should there be a need to clarify additional circumstances of the case.

Article 36. Court Agenda

1. Rules of procedure and schedule of sessions, plenary sessions of senates, the Grand Chamber shall be drafted by the Chair of the Senate Chair, the Grand Chamber (hereinafter referred to as the Chair) in the form of agenda

2. Once the case is prepared for consideration (but no later than three months after the initiation of constitutional proceedings), the Judge-rapporteur in the case shall address the Chair with a request to include the case in the agenda Later, the Judge-Rapporteur is obliged to prepare the case and request its inclusion in the agenda of the Senate, the Grand Chamber no later than two months after the ordinary session of the Court.

A request to include a case in the agenda may also be submitted by at least six judges of the Constitutional Court.

3. The Chair of the Senate, the Grand Chamber shall include a case in the agenda no later than fifteen business days following the receipt of the relevant request and shall convene a session or plenary session of the Court.

If the session, plenary session on the case was not held, the Chair of the Senate, the Grand Chamber shall include such case in the agenda no later than fifteen business days following the date of such session that was not held and shall convene a new session, a plenary session of the Court.

The session, plenary session on the case shall be scheduled no later than in one month following the inclusion of the case on the agenda.

If the Chair of the Senate, the Grand Chamber fails to include the case on the agenda within the time limits specified in this Article, such case may be included on the agenda at the proposal of the Judge-Rapporteur or at least six judges of the Constitutional Court by a decision supported by at least 10 judges of the Constitutional Court.

4. The Secretariat shall communicate the date and agenda of the session, a plenary session of the Court to judges of the Constitutional Court and invited attendees (participants, involved participants in the constitutional proceedings) in advance, but no later than three business days before such session.

5. At the submission of the Judge-Rapporteur, a case where the Court has proceeded to an in-camera part of the plenary session, may be included on the agenda even if the requirements of this Article are not met provided that such proposal is upheld by 12 judges of the Constitutional Court.

Article 37. Sessions and plenary sessions

1. Cases where constitutional proceedings have already been instituted shall be considered during plenary sessions of senates and the Grand Chamber.

2. The procedure for holding sessions, plenary sessions shall be established by this Law and internal acts of the Court.

3. Sessions and plenary sessions of the Grand Chamber, the Senate shall be chaired by the President of the Court or the Deputy President of the Court, or, in their absence – by the oldest Judge.

Article 38. Sessions and plenary sessions of the Grand Chamber

1. During its sessions, the Grand Chamber shall consider issues of initiating or refusing initiation of constitutional proceedings upon a constitutional submission or constitutional petition, in the event when the Panel adopts a decision to refuse initiation of constitutional proceedings on the case.

2. The Grand Chamber session shall be deemed competent if attended by at least 12 judges of the Constitutional Court.

If the application for recusal (self-recusal) of the Judge (judges) was satisfied, then the number of judges that must be present for the Grand Chamber session to be deemed competent shall be reduced by the number of such recused judges of the Constitutional Court (but in any case the number of judges that must attend the session for it to be deemed competent shall not be less than 10 judges of the Constitutional Court).

3. A decision of the Grand Chamber shall be deemed passed provided that a majority of judges of the Constitutional Court participating in the session have voted for it.

In the event of equal division of votes cast by judges of the Constitutional Court, the constitutional proceedings on the case shall be considered open.

4. In the event that the Grand Chamber decides to initiate constitutional proceedings on a case, the Judge-Rapporteur shall ensure preparation of the case for consideration and its inclusion on the agenda in accordance with Article 36 of this Law.

5. The decision of the Grand Chamber refusing the initiation of constitutional proceedings is final.

6. During its plenary sessions, the Grand Chamber shall consider cases where proceedings were initiated upon a constitutional submission, constitutional petition, and cases where proceedings were instituted following a constitutional complaint, but the Senate refused to consider the case leaving it for the consideration by the Grand Chamber.

7. The public part of the plenary session of the Grand Chamber in the form of oral proceedings shall be recorded by technical means and by keeping minutes.

8. The Grand Chamber shall pass decisions, give opinions during an in-camera part of the plenary session.

9. Speeches given by judges of the Constitutional Court during the in-camera part of the plenary session of the Grand Chamber shall constitute official information and may not be disclosed.

10. The minutes of the in-camera part of the plenary session of the Grand Chamber may not be disclosed and shall be stored separately from the case file.

11. The Court decision shall be adopted by the Grand Chamber and its opinion shall be given by at least 12 judges of the Constitutional Court voted in favour.

Should the application for recusal (self-recusal) of a Judge (judges) be satisfied, then the number of judges who must vote for the decision (opinion) of the Grand Chamber shall be reduced by the number of such recused judges of the Constitutional Court (but in any case, the number of judges who must vote for the decision (opinion) shall not be less than 10 judges of the Constitutional Court).

Article 39. Sessions and plenary sessions of the Senate

1. During its sessions, the Senate shall consider issues of initiating or refusing initiation of constitutional proceedings upon a constitutional complaint, if the Panel was not unanimous in its decision to refuse the institution of constitutional proceedings.

2. Sessions and plenary sittings of the Senate shall be deemed competent if attended by at least six judges of the Constitutional Court from the Senate.

3. A decision of the Senate shall be deemed passed provided that a majority of judges of the Constitutional Court participating in the session have voted for it.

4. If there is equality of votes cast by judges of the Constitutional Court who are members of the Senate, the constitutional proceedings on the case shall be considered open.

5. When the Panel, Senate adopt a decision to institute constitutional proceedings during the session, the Judge-Rapporteur shall prepare the case for consideration and inclusion on the agenda as provided by Article 36 of this Law.

6. The Senate's decision to refuse the institution of constitutional proceedings upon a constitutional complaint shall be final.

7. The public part of the plenary session of the Senate in the form of oral proceedings shall be recorded by technical means and by keeping minutes.

8. The Senate shall adopt decisions during the in-camera part of the plenary session.

9. Speeches given by judges of the Constitutional Court during the in-camera part of the plenary session of the Senate shall constitute official information and may not be disclosed.

10. The minutes of the in-camera part of the Senate's plenary session may not be disclosed and shall be stored separately from the case file.

11. Court decision in a case initiated following a constitutional complaint as specified in part twelve of this Article shall be deemed adopted if voted for by at least six judges of the Constitutional Court who are members of the Senate (including judges who were involved to consider a specific case under part four of Article 12 of this Law).

12. If when considering a case initiated upon a constitutional complaint, the Senate concludes that the law (individual provisions thereof) challenged by the subject of the right to constitutional complaint complies with the Constitution of Ukraine, then the Senate shall adopt a decision on its constitutionality which is binding, final and not subject to appeal.

If when considering a case initiated upon a constitutional complaint, the Senate concludes that the law (individual provisions thereof) challenged by the subject of the right to constitutional complaint is not compliant with the Constitution of Ukraine, the Senate shall adopt a draft decision

on its unconstitutionality and file a motion to the Grand Chamber requesting to uphold such decision.

Information and data of the Senate's motion to the Grand Chamber requesting to uphold its draft decision shall be deemed related to the in-camera part of the plenary session and shall not be subject to disclosure and/or promulgation.

13. The Senate's motion requesting to uphold its draft decision submitted pursuant to part twelve of this Article shall be reviewed by the Grand Chamber no later than within 30 calendar days after such motion was received and requires adopting of one of two rulings:

- 1) on the commencement of case consideration by the Grand Chamber;
- 2) on upholding of the Senate's draft decision.

14. If the Grand Chamber rules to commence case consideration by the Grand Chamber, hearing of the case following a constitutional complaint shall start anew according to the rules stipulated for cases when the Senate refuses to consider a case leaving it for the consideration by the Grand Chamber.

If the Grand Chamber rules to uphold the draft decision of the Senate, then the Senate's decision shall be deemed adopted on the day when the Grand Chamber passes such a ruling.

15. Rulings of the Grand Chamber stipulated by part thirteen of this Article shall be deemed adopted when voted for by the number of judges of the Constitutional Court determined under part eleven of Article 38 of this Law.

In cases when no ruling provided for by part thirteen of this Article is adopted by the Grand Chamber within 30 calendar days after the Senate's motion was received, then case consideration by the Grand Chamber starts.

Article 40. Summoning participants and involved participants of constitutional proceedings

1. Participants in the constitutional proceedings, interpreter, witness, specialist, expert, other participants in the constitutional proceedings involved by the Court shall be notified of the plenary sessions on the case where the Court did not proceed to the in-camera part of the plenary session within the time limits established by part four of Article 36 of this Law.

2. The Secretariat shall be responsible for notifying the case hearing date, time and venue by sending summonses. With the written consent of the person specified in part one of this Article, the case hearing date, time and venue may be communicated via email, facsimile (fax, telefax), telephone, etc.

3. The Panel, the Senate, the Grand Chamber may postpone case consideration if the participant in the constitutional proceedings fails to attend the relevant session for a valid reason.

4. If a participant in the constitutional proceedings failed to attend the relevant session for a good reason for a second time, the Panel, the Senate or the Grand Chamber may pass a ruling to consider the case in their absence.

5. If a party to the constitutional proceedings was duly notified of the hearing date, time and venue but failed to appear at the relevant session without a valid reason, the Panel, the Senate or the Grand Chamber shall consider the case in their absence.

Article 41. Senate's refusal to consider the case leaving it for the consideration of the Grand Chamber

1. The Senate may decline to hear a case leaving it for the consideration by the Grand Chamber in the following cases:

- 1) the need to interpret the Constitution of Ukraine arises in the course of case hearing;

2) the resolution of the issue before the Senate may cause incompatibility with legal positions previously adopted by the Court, or there is a need to harmonize the constitutional doctrine of the Court;

3) the issue before the Senate concerns an exclusive legal issue, affects the interests of a wide range of persons, or the decision made in the case will have a significant impact on the development of the constitutional doctrine of the Court;

2. Regardless of the circumstances stipulated by part one of this Article, the Senate must decline to hear the case leaving it for consideration by the Great Chamber if such hearing will not be finished within a year after the institution of the constitutional proceedings.

3. The Senate shall pass a ruling containing the reasons for declining to hear a case leaving it for the consideration by the Grand Chamber by a majority of votes cast by judges of the Constitutional Court participating in the session.

4. Upon a proposal from at least three judges of the Constitutional Court, on the grounds specified in part one of this Article, the case may be requested from the Senate by the Grand Chamber for its subsequent consideration by the Grand Chamber provided that at least 10 judges of the Constitutional Court vote for this.

Article 42. Ensuring comprehensive consideration of the case

1. When preparing a case for hearing and constitutional proceedings, The Panel, the Senate, the Grand Chamber may:

1) request copies of documents, case files and other case-related information from the Verkhovna Rada of Ukraine, the President of Ukraine, the Cabinet of Ministers of Ukraine, the Prosecutor General, courts, other state authorities, bodies of the Autonomous Republic of Crimea, local governments, officials, enterprises, institutions, organizations of all ownership forms, political parties, public organizations;

2) appoint an examination and involve specialists in the constitutional proceedings, where appropriate;

3) summon to sessions and plenary sessions officials, experts, specialists, witnesses, applicant's representatives, citizens, whose participation is necessary to ensure an objective and comprehensive case consideration;

4) in cases where the constitutional proceedings are initiated upon a constitutional complaint, propose a subject of the right to constitutional complaint to answer questions related to such constitutional proceedings.

2. Evasion from appearing at the Panel session, session or plenary session of the Senate or the Grand Chamber without a valid reason, as well as refusal to provide the required documents, materials and other information or their intentional concealment shall result in the perpetrator's liability according to law.

3. Written reasoned scientific and legal opinions (*amicus curiae*) may be submitted to the Senate or the Grand Chamber on matters referred to the Court. The Court shall exercise discretion when deciding on the attachment of such conclusions to the case and their consideration.

4. Judges shall be entitled to review case files at any stage of its consideration, preparation.

Article 43. Liability for violating the procedure for plenary sessions in the Court

1. The judge presiding at the plenary session of the Senate or the Grand Chamber shall ensure observance of its procedure.

2. Participants in the constitutional proceedings and other persons present in the courtroom shall be warned of the need to comply with the established procedure.

3. The use of mobile connection is not allowed during plenary sessions.

4. Participants in the constitutional proceedings, interpreter, witness, specialist, expert, other participants involved in the case by the Constitutional Court, shall bear liability in the manner prescribed by law for disrespect to the Constitutional Court expressed in malicious evasion from a session, a plenary session of the Senate, the Grand Chamber of the Constitutional Court or in disobedience of these and other persons to the presiding judge's order or in the disorderly conduct during such sessions, as well as any other persons present in the courtroom (except judges of the Constitutional Court) for committing any actions indicating disrespect to the Constitutional court.

5. The Court bailiff service shall ensure the maintenance of order in the courtroom.

6. By a decision of the Senate or the Grand Chamber, the bailiff shall remove the offender from the courtroom.

Article 44. Time limits for the constitutional proceedings

1. The calculation of time limits for the conduct of constitutional proceedings shall start on the day of the decision to initiate constitutional proceedings in the case, and if the Senate declines to hear the case leaving it for the consideration by the Grand Chamber – on the day of the respective Senate's decision.

2. The time limits for constitutional proceedings shall not exceed six months unless otherwise provided by this Law.

3. The time limits for constitutional proceedings may not exceed one calendar month for cases:

1) on issuing the opinion on the compliance of the draft law introducing amendments to the Constitution of Ukraine with requirements of Articles 157 and 158 of the Constitution of Ukraine;

2) upon the petition of the President of Ukraine concerning constitutional acts of the Cabinet of Ministers of Ukraine under paragraph 15, part one of Article 106 of the Constitution of Ukraine;

3) where the Senate, the Grand Chamber recognized constitutional proceedings as urgent.

4. The subject of the right to constitutional complaint which was not considered within time limits established by this Law, shall be entitled to reimbursement at the expense of the state budget. The amount of reimbursement, time limits and the payment procedure shall be established by a resolution of the Cabinet of Ministers of Ukraine.

5. If the Senate or the Grand Chamber exceed the term for constitutional proceedings specified by this Law, the Senate or the Grand Chamber where a given case is pending shall issue a reasoned decision to extend the time limits of the constitutional proceedings.

Article 45. Review of case files by participants in the constitutional proceedings

1. A participant and involved participant in the constitutional proceedings shall have the right to review case files in the extent and manner provided for in this Article.

2. The participant, involved participant in the constitutional proceedings shall submit a motion to review case files which shall be considered by the Judge-Rapporteur.

The motion may be submitted electronically with an electronic signature affixed thereto and in compliance with the Law of Ukraine "On Electronic Documents and Electronic Document Management". The electronic signature shall be verified by the Secretariat.

3. Explanations from other participants in the proceedings, materials, explanations, opinions, analytical certificates prepared or requested by the Court, Judge-Rapporteur in the manner prescribed by Article 30 of this Law, legal opinions attached to the case file in the manner prescribed by part three of Article 42 of this Law, and other materials not related to the files of the closed part of the plenary session on the case shall be provided for review.

Materials of the in-camera part of the plenary session (draft acts of the Court, proposals thereto from Court judges, minutes of in-camera parts of plenary sessions, etc.) shall not be provided for review. Documents containing restricted information shall be provided in the manner prescribed by the current legislation of Ukraine.

4. During case files review, the participant, involved participant of the constitutional proceedings shall be entitled to make extracts from case files and their copies (photocopies) using their own technical means.

5. A motion filed by a participant, involved participant in the constitutional proceedings may contain a request to provide case files in the electronic form. Such a request may be filed only electronically in accordance with part two of this Article. In this case, the Court shall send requested case files electronically to the participant's, involved participant's email.

6. If the representative of the subject of the right to constitutional submission, petition, subject of the right to constitutional complaint (their authorized person, representative) specified their email address, the Court shall send files indicated in part three of this Article no later than ten working days after their attachment to case files.

7. The procedure used by the Secretariat to accept and process a motion to review case files submitted electronically, to verify the electronic signatures affixed thereto shall be determined in internal acts of the Court.

Article 46. Reimbursement of expenses borne by the subject of the right to constitutional complaint

1. The subject of the right to constitutional complaint, whose constitutional complaint underlies the decision shall be entitled to reimbursement from the state budget of expenses related to the appeal to the Court and case consideration in the Court.

The composition of expenses, their maximum amount, time limits and payment procedure shall be determined by the resolution of the Cabinet of Ministers of Ukraine.

Section V. PECULIARITIES OF CONSIDERATION BY THE CONSTITUTIONAL COURT OF CERTAIN CATEGORIES OF CASES

Article 47. Peculiarities of proceeding on cases related to the compliance with the Constitution of Ukraine (constitutionality) of issues proposed for the all-Ukrainian referendum at the popular initiative

1. A constitutional petition on the compliance with the Constitution of Ukraine (constitutionality) of issues proposed for the all-Ukrainian referendum at the popular initiative must be filed to the Court before the President of Ukraine declares an all-Ukrainian referendum at the popular initiative.

2. The subject of case consideration includes issues proposed for the all-Ukrainian referendum at the popular initiative.

3. When issues proposed for the all-Ukrainian referendum at the popular initiative are considered for compliance with the Constitution of Ukraine (constitutionality), the Court shall involve in the constitutional proceedings a representative or representatives of the initiative group of the all-Ukrainian referendum.

4. Where appropriate, the Court may involve in the constitutional proceedings representatives from political parties and public organizations.

5. In the operative part of its opinion, the Court determines which issues proposed for the all-Ukrainian referendum at the popular initiative comply with the Constitution of Ukraine (are constitutional) and which ones are in conflict with the Constitution of Ukraine (are unconstitutional).

Article 48. Peculiarities of proceedings in cases related to compliance with the Constitution of Ukraine of current international treaties of Ukraine or international treaties submitted to the Verkhovna Rada of Ukraine for approval of their binding nature

1. The Constitutional Court of Ukraine shall consider cases and give an opinion on the constitutionality of:

- 1) current international treaties of Ukraine;
- 2) international treaties of Ukraine submitted to the Verkhovna Rada of Ukraine for approval of their binding nature.

2. When giving its opinion on the international treaty's inconsistency with the Constitution of Ukraine, the Constitutional Court of Ukraine shall, within the same proceedings, decide on the unconstitutionality of this treaty or individual part thereto.

3. When considering a case concerning the constitutionality of a legal act referred to in part one of this Article, the Constitutional Court of Ukraine shall simultaneously give an opinion on the constitutionality of an international treaty of Ukraine that has entered into force under this legal act.

4. The Law (individual provisions thereof) on the ratification of an international treaty may be challenged in terms of its consistency with the Constitution of Ukraine according to the general procedure established by the Constitution of Ukraine and this Law.

Article 49. Peculiarities of proceedings on cases related to the observance of the constitutional procedure for investigating and considering a case on removal of the President of Ukraine from office by way of impeachment

1. A constitutional submission of the Verkhovna Rada of Ukraine concerning the opinion on compliance with the constitutional procedure for investigating and hearing a case on the impeachment of the President of Ukraine shall constitute a ground for initiating constitutional proceedings on the case.

A constitutional submission filed by the Verkhovna Rada of Ukraine must contain a detailed description of procedural actions indicating the date, place and grounds for their commission, as well as documents and other materials confirming observance of the constitutional procedure for investigating and hearing a case on the impeachment of the President of Ukraine.

The following documents and materials shall be attached to the said constitutional submission of the Verkhovna Rada of Ukraine:

- 1) on initiating impeachment of the President of Ukraine;
- 2) on the establishment and operation of a special provisional investigative commission of the Verkhovna Rada of Ukraine for the purposes of the investigation; conclusions and proposals of this commission;
- 3) on the consideration by the Verkhovna Rada of Ukraine of conclusions and proposals submitted by the relevant provisional investigative commission;
- 4) a decision by the Verkhovna Rada of Ukraine accusing the President of Ukraine of committing treason or another crime.

2. The Constitutional Court of Ukraine shall, no later than five business days after the constitutional submission of the Verkhovna Rada of Ukraine was received, initiate proceedings outside the normal schedule on issuing an opinion on the observance of the constitutional procedure for investigating and considering the case of impeachment.

3. The resignation of the President of Ukraine, who is charged, shall constitute a ground to dismiss constitutional proceedings on the case.

Such person shall be brought to justice under the general procedure.

4. The Constitutional Court of Ukraine shall issue its opinion on the observance of the constitutional procedure for investigating and considering a case on the impeachment of the President under part six of Article 111 of the Constitution of Ukraine.

A copy of such opinion of the Constitutional Court of Ukraine along with a copy of case files shall be forwarded to the Verkhovna Rada of Ukraine and the President of Ukraine no later than the next business day after its adoption.

Section VI. ACTS OF THE CONSTITUTIONAL COURT, ENFORCEMENT OF DECISIONS AND OPINIONS OF THE CONSTITUTIONAL COURT

Article 50. Types of Court acts

1. The Court shall adopt decisions, give opinions, issues enforcement orders on the matters related to the constitutional proceedings.

2. Internal acts on issues not related to constitutional proceedings shall be adopted by the Court in the form of a ruling.

If this Law and the Law of Ukraine “On the Constitutional Court of Ukraine” allow settling some issues by internal Court acts, then the Court may decide on several such issues in one internal act of the Court.

Article 51. Court decision

1. Court decisions shall be adopted by:

1) The Grand Chamber – following the results of consideration of cases initiated upon constitutional submission concerning the constitutionality of Ukrainian laws and other legal acts of the Verkhovna Rada of Ukraine, acts of the President of Ukraine, acts of the Cabinet of Ministers of Ukraine, legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea, and regarding the official interpretation of the Constitution of Ukraine, as well as following the results of consideration of cases initiated upon constitutional complaints in the event when the Senate declines to consider the case upon the constitutional complaint leaving it for the consideration by the Grand Chamber;

2) the Senate – following the results of consideration of cases initiated upon constitutional complaints.

Article 52. Court opinion

1. The Grand Chamber shall give its opinion in cases concerning:

1) compliance with the Constitution of Ukraine of current international treaties of Ukraine or international treaties submitted to the Verkhovna Rada of Ukraine for approval of their binding nature;

2) compliance of issues proposed for the all-Ukrainian referendum at the popular initiative with the Constitution of Ukraine (constitutionality);

3) observance of the constitutional procedure during the investigation and consideration of the case on removal of the President of Ukraine from office by way of impeachment;

4) compliance of the draft law introducing amendments to the Constitution of Ukraine with requirements of Articles 157 and 158 of the Constitution of Ukraine;

5) violation by the Verkhovna Rada of the Autonomous Republic of Crimea of the Constitution of Ukraine or Ukrainian laws;

6) compliance of regulations issued by the Verkhovna Rada of the Autonomous Republic of Crimea with the Constitution of Ukraine and Ukrainian laws.

Article 53. Court ruling

1. To resolve issues related to the initiation, refusal to initiate, dismissal of proceedings on the case, other procedural actions, the procedure for considering cases, the Court shall pass relevant rulings.

2. The Court shall send a ruling to a participant, involved participant in the constitutional proceedings no later than on the next day after its adoption.

Article 54. Enforcement order of the Court

1. The Court may pass an enforcement order to take measures to secure a constitutional complaint in accordance with the procedure provided for in Article 27 of this Law.

2. The enforcement order is an executive document subject to immediate execution that must meet the requirements for executive documents established by Article 4 of the Law of Ukraine "On Enforcement Proceedings".

The enforcement order shall be binding for all state authorities, local governments, their officials and officers, individuals and legal entities and their organizations across Ukraine regardless of the petition of the person in whose favour such enforcement order was issued, for it to be enforced under the Law of Ukraine "On Enforcement Proceedings".

3. The enforcement order shall be registered in the manner and in accordance with the requirements established by the Regulations on the automated system of enforcement proceedings.

The enforcement order shall be forwarded by the Secretariat for its registration in the automated system of enforcement proceedings no later than the next business day after its issue by the Court.

Article 55. Adopting decisions and giving opinions by the Court

1. The Court shall adopt decisions and give opinions in the name of Ukraine.

2. The Court shall adopt a decision, give an opinion during the in-camera part of the plenary session of the Senate, the Grand Chamber with the help of a roll-call vote by judges of the Constitutional Court considering the case.

3. Proposals from judges of the Constitutional Court concerning the draft decision or opinion shall be put to the vote in the order of their receipt.

4. When passing a decision, giving an opinion, the Judge may not abstain from voting.

5. Decisions and opinions of the Court shall be signed separately by judges of the Constitutional Court who voted in its favour and judges of the Constitutional Court who voted against it. The decision or opinion of the Court is final and not subject to appeal.

A Judge of the Constitutional Court must sign the Court decision or opinion.

6. The Court shall send the decision, opinion to the participant in the constitutional proceedings no later than the next business day after the decision or opinion is adopted.

Article 56, Requirements to the Court decision

1. A Court decision shall consist of the following parts:
 - 1) introductory;
 - 2) narrative;
 - 3) statement of reasons;
 - 4) operative.
2. The introductory part of the decision shall specify the following data:
 - 1) decision name, date and place of its adoption, the number;
 - 2) the body that passed a decision;
 - 3) the composition of judges of the Constitutional Court who considered the case;
 - 4) information on judges of the Constitutional Court who expressed dissenting opinions;
 - 5) a list of participants in the constitutional proceedings.
3. The narrative part of the decision shall specify the following data:
 - 1) full name, date of adoption, the reference number of the challenged act, name of the body or official who adopted the act under Court's consideration;
 - 2) requirements to the constitutional submission, complaint;
 - 2) basic arguments on the constitutionality or unconstitutionality of a legal act (individual provisions thereof), viewpoints of participants, involved participants concerning the subject of the constitutional proceedings.
4. The part with the statement of reasons in the decision shall contain:
 - 1) analysis of evidence, documents, expert opinions and other case files;
 - 2) analysis of the requirements outlined in the constitutional submission or complaint and viewpoints of participants, involved participants in the constitutional proceedings, replies to their arguments on the subject of constitutional proceedings;
 - 3) substantiation of the need to find unconstitutional the act (individual provisions thereof) that lost effect (where appropriate);
 - 4) the Court's opinion on the subject of the constitutional proceedings and its arguments specifying key provisions of the Constitution of Ukraine underlying it, appropriate and sufficient motives and grounds to adopt a decision;
 - 5) the procedure for executing a decision and peculiarities of the procedure for reimbursing pecuniary and non-pecuniary damage inflicted by acts and actions recognized unconstitutional (where recognised as such by the Court).
5. The operative part of the decision shall specify:
 - 1) act (individual provisions thereof) that was recognised as constitutional or unconstitutional by the Court –in the case concerning the constitutionality of the act individual provisions thereof);
 - 2) the time when the act (individual provisions thereof) loses effect, if set by the Court or if its setting is mandatory under this Law;
 - 3) official interpretation of the provision in the Constitution of Ukraine in respect of which a constitutional submission was filed – in the case on the official interpretation of the Constitution of Ukraine;
 - 4) an instruction stating that the Court decision is binding, final and not subject to appeal;
 - 5) a source where the Court decision should be published.
6. In considering a case on the constitutionality of an act on the entry into force of an international treaty of Ukraine, the Court shall specify in the operative part legal consequences for Ukraine should the act be recognised unconstitutional.
7. The Court may recognise certain aspects of the act (individual provisions thereof) inconsistent with the Constitution of Ukraine (its application in a certain way, to a range of legal relations or individuals specified by the Court, etc.) while the very act will not lose its effect. In

which case, such act (individual provisions thereof) shall no longer be used only in the aspect, manner and within the timeline specified by the Court.

In its decision following a constitutional complaint, the Court may not indicate the wrong way to apply and interpret the law by the court of general jurisdiction, save for cases stipulated by the last paragraph of this part of the Article.

8. When the Court recognises the act (individual provisions thereof) that lost effect as inconsistent with the Constitution of Ukraine, the Court shall not state in its decision the fact of the act becoming void (save for cases stipulated by paragraph 1, part two of Article 32 of this Law). In this case, the decision shall include the substantiation of the need to recognise such act (individual provisions thereof) unconstitutional

Article 57. Requirements to the Court opinion

1. A Court opinion shall consist of the following parts:

- 1) introductory;
- 2) narrative;
- 3) statement of reasons;
- 4) operative.

2. The introductory part of the opinion shall specify the following data:

- 1) opinion name, date and place of its adoption, the number;
- 2) information stating that the opinion is given by the Grand Chamber;
- 3) the composition of judges of the Constitutional Court who considered the case;
- 4) information on judges of the Constitutional Court who expressed dissenting opinions;
- 5) a list of participants in the constitutional proceedings.

3. The narrative part of the opinion shall include:

- 1) requirements outlined in the constitutional petition;
- 2) key arguments on the subject of the constitutional petition, opinions of participants, involved participants in the constitutional proceedings.

4. The part with the statement of reasons in the opinion shall contain:

1) analysis of the requirements outlined in the constitutional petition and viewpoints of participants, involved participants in the constitutional proceedings, replies to their arguments on the subject of constitutional proceedings;

2) analysis of evidence, documents, expert opinions and other case files;

3) the Court's opinion on the subject of the constitutional proceedings and its arguments specifying key provisions of the Constitution of Ukraine underlying it, appropriate and sufficient motives and grounds to give an opinion.

4. The operative part of the opinion shall include the following information:

1) provisions of an international treaty, which the Court recognises as constitutional or unconstitutional – in a case concerning the constitutionality of an effective international treaty of Ukraine or international treaty submitted to the Verkhovna Rada of Ukraine for approval of its binding nature;

2) issues that the Court recognises as constitutional or unconstitutional – in a case concerning compliance with the Constitution of Ukraine (constitutionality) of issues proposed for the all-Ukrainian referendum at the popular initiative;

3) whether the constitutional procedure for investigating and considering the case on the impeachment of the President of Ukraine was observed – in a case on the observance of such a procedure;

4) provisions of the draft law that meet the requirements of Articles 157 and 158 of the Constitution of Ukraine, and provisions that do not meet such requirements – in a case

concerning the compliance of the draft law on amendments to the Constitution of Ukraine with the requirements of Articles 157 and 158 of the Constitution of Ukraine;

5) whether the Verkhovna Rada of the Autonomous Republic of Crimea violated the Constitution of Ukraine or Ukrainian laws – in a case regarding the violation by the Verkhovna Rada of the Autonomous Republic of Crimea of the Constitution of Ukraine or Ukrainian laws;

6) regulatory acts issued by the Verkhovna Rada of the Autonomous Republic of Crimea (individual provisions thereof) which the Court recognises as consistent or inconsistent with the Constitution of Ukraine and Ukrainian laws – in a case concerning the compliance of regulatory acts issued by the Verkhovna Rada of the Autonomous Republic of Crimea with the Constitution of Ukraine and Ukrainian laws;

7) an instruction stating that the Court opinion is binding, final and not subject to appeal;

8) a source where the Court opinion should be published.

Article 58. Establishing a date when the act (individual provisions thereof) loses effect

1. Laws, other acts or individual provisions thereof that were recognised unconstitutional shall lose effect on the day when the Constitutional Court adopts a decision on their unconstitutionality unless otherwise prescribed by the decision, but no earlier than on the day of its adoption.

2. The court must set a specific time limit when the law (individual provisions thereof) establishing legal accountability and/or the procedure for bringing to legal liability shall lose effect. Such time limit may not be less than three months.

The court must also set a special time limit when the law (individual provisions thereof) shall lose effect if the only ground for declaring it unconstitutional was a violation of the procedure established by the Constitution of Ukraine for its consideration, adoption or entry into force.

3. If an act (individual provisions thereof) is declared unconstitutional and the decision specifies that it shall lose effect on the day of decision adoption by the Court, such act (individual provisions thereof) shall still be applied during such time determined by the Court but with account for the Court's conclusions.

Article 59. Dissenting opinion of the Judge

1. A Judge who signed a decision, opinion, ruling refusing to initiate the constitutional proceedings in a case or to dismiss constitutional proceedings may express his/her dissenting opinion, which he/she must announce on the day of the decision, opinion or ruling and the relevant information should be reflected in the corresponding Court act.

A dissenting opinion must be expressed no later than on the twelfth business day after the decision, opinion or ruling.

2. The Judge shall state his/her separate opinion in writing, which document shall be annexed to the relevant Court act and immediately published in the Register of Court Acts.

Article 60. Official promulgation and publication of Court Acts

1. All Court acts issued following the results of constitutional proceedings shall be published in the Register of Court Acts on the day of their adoption or in some cases by the Court's ruling – promulgated in the courtroom.

The act is subject to immediate promulgation in the wording voted for by the number of judges of the Constitutional Court required to adopt the same under this Law, regardless of the time when the Act will be signed by all judges of the Constitutional Court participating in the case consideration.

The Court act along with any dissenting opinions of judges shall be published in the "Bulletin of the Constitutional Court of Ukraine" and other official printed editions of Ukraine.

2. The procedure and manner for the official promulgation of Court acts in the courtroom and the Register of Court Acts shall be determined by internal Court acts.

Article 61. Eliminating errors in the text of the Court act and clarifying the Court act enforcement procedure

1. Once the Court act is officially promulgated, the Court may, at its initiative or request of a participant in the constitutional proceedings involved in the case, eliminate grammatical or technical misprints made in the relevant act.

2. At the request of a participant in the constitutional proceedings involved in the case, the court may explain the enforcement procedure, consequences or certain provisions of Court decision, ruling or opinion, but no later than three months after such decision, ruling or opinion was adopted.

Upon receiving a relevant motion, the Judge-Rapporteur shall within one month prepare the matter for consideration at the Court session.

3. A ruling which is part of the relevant Court decision, ruling or opinion shall be passed concerning the elimination of misprints or explanation of the procedure to enforce such decision, ruling or opinion. Such ruling shall be passed if voted for by the number of judges of the Constitutional Court required for the adoption of a relevant Court act under this Law.

Article 62. Adopting acts governing Court's operation and making amendments thereto

1. Internal Court acts governing its operation shall be adopted by the Court by the majority of votes cast by session attendees.

Article 63. Procedure for enforcing Court decisions and opinions

1. In its decision or opinion, the Court may establish the procedure and time limit for their execution and oblige the corresponding state authorities to ensure control over the execution of such decision, observance of the conclusion

2. The Court may require from the relevant authorities a written confirmation of the decision execution, observance of the opinion.

3. Once the Court adopts a decision or gives an opinion, all state authorities and local governments shall be obliged to immediately bring their by-laws in line with such Court decision or opinion.

4. If an act (individual provisions thereof) which was recognised unconstitutional stipulates lost effect or repeal of other acts (individual provisions thereof) or amendments thereto, such acts shall not restore their legal effect, nor shall they be subject to application, and any amendments made to other acts shall not lose their effect unless otherwise specified in the Court decision.

5. If the Court recognised the Law of Ukraine (individual provisions thereof) unconstitutional, the Verkhovna Rada of Ukraine, under the procedure prescribed by the current legislation of Ukraine, shall restore the Law of Ukraine (individual provisions thereof) regulating relevant public relations before the law that was declared unconstitutional entered into force.

Article 64. Compensation for the damage caused by the application of acts and actions that were recognised unconstitutional

1. Pecuniary and non-pecuniary damage caused to individuals and legal entities by acts and actions that were declared unconstitutional shall be compensated in accordance with the

procedure prescribed by this Article, based on general provisions of the Civil Code of Ukraine on the compensation for damage in situations not regulated by this Law.

2. Pecuniary and non-pecuniary damage caused to individuals and pecuniary damage inflicted on legal entities by acts and actions that were recognised unconstitutional shall be reimbursed in court.

3. Pecuniary damage caused by acts and actions that were declared unconstitutional shall be determined pursuant to Article 22 of the Civil Code of Ukraine and include, in particular, funds (or the monetary equivalent of the property) that a person did not receive, lost or paid in connection with the application to them of acts recognised as unconstitutional (save for cases when there are other ways to receive or reimburse these funds and property).

4. In its decision, the Court may indicate peculiarities of the procedure for reimbursing pecuniary and non-pecuniary damage caused by acts and actions recognised as unconstitutional, in particular relating to a range of persons entitled to compensation; the procedure for proving the damage caused, the maximum amount of compensation, etc. In such cases, compensation for damage shall be made in court, taking into account the Court decision.

5. The provisions of this Article shall also apply if, under part three of Article 56 of this Law, the Court finds certain aspects of the act (individual provisions thereof) to be inconsistent with the Constitution of Ukraine, while the act itself does not lose effect.

Article 65. Liability for failure to comply with Court acts

1. Failure to comply with Court decisions and opinions shall result in the liability under the law.

Section VII. FINAL PROVISIONS

1. This Law shall enter into force on the day following the day of its publication, except:

1) Article 8, which shall enter into force on the day following the day when the Constitutional Court of Ukraine published on its website an announcement on the functioning of the Register of Acts of the Constitutional Court of Ukraine;

2) Article 9, paragraph 1 of part 2 and part 4 of Article 12, paragraph 2 of part 1 of Article 13, parts 1, 2 of Article 29, which shall enter into force on the day following the day when the Constitutional Court of Ukraine publishes on its website an announcement on the functioning of the Automated document management system of the Constitutional Court of Ukraine;

3) parts 4, 5 of Article 24, paragraph 2 of part 2 and part 5 of Article 45, which shall enter into force 3 months after the day following the day when this Law is published;

4) part 3 of Article 54, which shall enter into force three months after the day following the day when this Law is published.

2. Within three months from the day when this Law enters into force, the Cabinet of Ministers of Ukraine shall develop and approve the procedure for reimbursement, from the state budget, of expenses of the subject of the right to constitutional complaint and the procedure for the payment of compensation for delayed consideration of the constitutional complaint.

3. The High Council of Justice, within three months from the day when this Law enters into force, shall provide the Secretariat of the Constitutional Court of Ukraine with the technical possibility to access the Unified State Register of Court Decisions for the purpose of performing statutory duties under this Law.

4. The Ministry of Justice of Ukraine, within three months from the day when this Law enters into force, shall bring the Regulations on the automated system of enforcement proceedings in accordance with this Law.

5. The Constitutional Court of Ukraine shall:

1) bring its internal acts in line with this Law within three months from the day when this Law enters into force;

2) approve the Regulations on the Automated Document Management System of the Constitutional Court of Ukraine and the Regulations on the Registers of Acts of the Constitutional Court of Ukraine within six months from the day when this Law enters into force.

6. The following legislative acts of Ukraine must be amended:

1) in the Code of Administrative Procedure of Ukraine (Bulletin of the Verkhovna Rada of Ukraine, 2005, Nos. 35–36, p. 446, as amended):

a) in Article 361:

words “if the court decision is not enforced yet” in paragraph one of part five shall be removed;

b) in part two of Article 363:

in paragraph one, words “on the ground determined by paragraph one of part two” shall be replaced with the words “on grounds determined by paragraph one of part two and paragraph 1 of part five”;

in paragraph two, words “part five” shall be replaced with the words “paragraphs 2, 3 of part five”;

2) in the Civil Procedure Code of Ukraine (Bulletin of the Verkhovna Rada of Ukraine, 2004, Nos. 40–41, p. 492, as amended):

a) words “if the court decision is not enforced yet” in paragraph one, part three of Article 423 shall be removed;

b) in part two of Article 424:

in paragraph one, words “and paragraph 1 of part three” shall be added after the words “part two”;

in paragraph two, words “part three” shall be replaced with the words “paragraphs 2, 3 of part three”;

3) in the Commercial Procedure Code of Ukraine (Bulletin of the Verkhovna Rada of Ukraine, 1992, No. 6, p. 56, as amended):

a) words “if the court decision is not enforced yet” shall be removed in paragraph one, part three of Article 320;

b) in part two of Article 321:

in paragraph one, words “and paragraph 1 of part three” shall be added after the words “part two”;

in paragraph two, words “part three” shall be replaced with the words “paragraphs 2, 3 of part three”;

4) in the Law of Ukraine “On the Rules of Procedure of the Verkhovna Rada of Ukraine” (Bulletin of the Verkhovna Rada of Ukraine, 2010, Nos. 14–15, Nos. 16–17, p. 133, as amended):

a) in part eleven of Article 147, words “and the Constitutional Court did not have any reservation concerning its provisions” after the words “that meets the requirements of Articles 157 and 158 of the Constitution of Ukraine” shall be removed;

b) in Article 149:

a) in part five, words “and the Constitutional Court did not have any reservation concerning its provisions” after the words “meets the requirements of Articles 157, 158 of the Constitution of Ukraine” shall be removed;

in part six, words “and the Constitutional Court did not have any reservation concerning it” after the words “that meets the requirements of Articles 157, 158 of the Constitution of Ukraine” shall be removed;

c) in part one of Article 150, words “as well as when the opinion of the Constitutional Court of Ukraine contains a reservation concerning the provisions of such draft law” after the words

“that do not meet the requirements of Article 157 and 158 of the Constitution of Ukraine” shall be removed;

5) in the Law of Ukraine “On the Constitutional Court of Ukraine” (Bulletin of the Verkhovna Rada of Ukraine, 2017, No. 35, p. 376, as amended) the following amendments shall be made:

a) Articles 6, 7, 8, 32, 35, 36, 37, 38, and Section II shall be removed;

b) in Articles 17, 18, 19, 33, 39, 43, 44 the phrase “Rules of Procedure” shall be replaced with the words “internal acts of the Court” in the appropriate grammar case;

c) Article 3 shall be reworded as follows:

“1. The court shall act in accordance with the powers defined by the Constitution of Ukraine.

2. The procedure for Court operation and functioning shall be established by this Law.

The procedure for constitutional proceedings, case consideration and enforcement of Court decisions and opinions shall be determined by the Law of Ukraine “On Constitutional Proceedings”.

3. The Court shall adopt other internal acts governing the arrangement of its operation in accordance with this Law and the Law of Ukraine “On Constitutional Proceedings”.

d) paragraph two of part three of Article 11 shall be reworded as follows:

“The Judge of the Constitutional Court may not, among other things, appoint a person who is a citizen of another state as of the day of such appointment”.

e) paragraph 3 of part one of Article 21 shall be reworded as follows:

“3) bringing to disciplinary responsibility in the matter prescribed by Article 21–1 hereof;”

f) add Article 21–1 in the following wording:

“Article 21–1. Disciplinary responsibility of judges of the Constitutional Court

1. The Judge of the Constitutional Court of Ukraine shall bear disciplinary responsibility for serious disciplinary misconduct, gross or systematic neglect of their duties which inconsistent with their status of the Judge of the Court or showed their incompatibility with the position held.

Gross disciplinary conduct of the Judge of the Constitutional Court of Ukraine shall include, among other things:

1) the conduct that discredits the title of a Judge of the Constitutional Court or undermines the authority of the Constitutional Court and its judges, including in the matters of moral, honesty, integrity, conformity of the judge's lifestyle to his/her status, observance of other ethical norms and rules of conduct ensuring public trust in the Constitutional Court, manifested disrespect towards other judges, participants and involved participants in the constitutional proceedings;

2) violation of the rights to recusal (self-recusal) determined by the Law of Ukraine “On the Constitutional Procedure”;

3) disclosure of information that came to the knowledge of the Judge of the Constitutional Court of Ukraine during case consideration at the closed plenary session, the content and course of the closed plenary session, in-camera part of the plenary session – in any form before or after the case hearing ended;

4) interference with the exercise of powers by other judges of the Constitutional Court;

5) the judge failed to submit, whether entirely or on time, his/her declaration of a person authorized to perform functions of the state or local government according to the procedure envisaged by the applicable anti-corruption laws;

6) the Judge used his/her status of a Judge of the Constitutional Court with the purpose of unlawful acquisition, whether by themselves or by any third parties, of any financial or other benefits, provided that such offence cannot be classified as a crime or a criminal offence;

7) the Judge of the Constitutional Court demonstrated low integrity, including where spendings of the Judge or his/her family members exceed the income of such Judge and his/her

family members; the Judge's standard of living does not correspond to his/her declared income; the Judge failed to prove the legitimate origin of his/her property;

2. A Judge of the Constitutional Court may be brought to disciplinary responsibility no later than three years after the act or omission specified in part one of this Article, excluding the time of temporary incapacity for work or leave or a period of the relevant disciplinary proceedings conducted by the Constitutional Court.

For the purpose of this Article, disciplinary proceedings shall be deemed instituted on the day when the Constitutional Court received a motion specified in part three of this Article.

3. A motion to bring a Judge of the Constitutional Court to disciplinary responsibility (hereinafter referred to as the motion) can be filed by the following actors:

- 1) The President of Ukraine;
- 2) The congress of judges of Ukraine;
- 3) One-third of the constitutional composition of the Verkhovna Rada of Ukraine;
- 4) At least three judges of the Constitutional Court.

The motion shall contain a substantiation of circumstances calling for disciplinary responsibility of a Judge of the Constitutional Court pursuant to part one of this Article and materials and evidence supporting such circumstances.

4. The Constitutional Court, no later than 15 calendar days following the receipt of the motion specified in part three of this Article, shall convene an ad hoc plenary session and adopt a decision to initiate disciplinary proceedings against the Judge of the Constitutional Court and to refer this motion for consideration by a standing committee on the Court's regulations and ethics (hereinafter referred to as the Committee).

Such ad hoc plenary session shall be convened by the President of the Court, and if the motion specified in part three of this Article refers to the President of the Court – by his/her Deputy.

When convening an ad hoc plenary session, (Deputy) President of the Court shall notify the Judge of the Constitutional Court against whom the motion is filed about the date and venue of such session.

5. The Committee, within two months after the institution of disciplinary proceedings, shall investigate circumstances specified in the motion. Upon a reasoned motion of the Committee, the Constitutional Court may extend this time limit during its ad hoc plenary session to be convened at the motion of the Committee Chair as per part four of this Article.

The Committee is entitled to file inquiries to state authorities, enterprises, institutions and organisations that might provide information on the Judge's acts or omissions that gave rise to disciplinary proceedings against him/her/

The Committee must send the Judge who is subjected to disciplinary proceedings a copy of the motion specified in part two of this Article and shall offer the latter to provide explanations concerning the subject of disciplinary proceedings.

6. At any stage of disciplinary proceedings, the Judge who is subjected to the same shall be entitled to:

- 1) review files of disciplinary proceedings, provide the Committee and/or the Constitutional Court any explanations and materials;
- 2) ask for recusal of judges of the Constitutional Court on the grounds stipulated by the Law of Ukraine "On Constitutional Proceedings".

Under part three of this Article, membership of the Judge of the Constitutional Court in the Committee and/or the initiation of disciplinary proceedings by him/her shall not constitute a ground for his/her recusal.

7. Once the circumstances of disciplinary proceedings are investigated, the Committee shall draft its opinion and file a motion to the Constitutional Court asking to convene an ad hoc plenary session to hear the Committee's opinion as provided for in part four of this Article.

8. In considering the Committee's opinion, the Constitutional Court may adopt one of the following decisions in the form of a resolution:

1) on further investigation by the Committee of the circumstances in disciplinary proceedings;

2) on the dismissal of disciplinary proceedings;

3) on bringing a Judge of the Constitutional Court to disciplinary responsibility by dismissing him/her from the respective post.

9. Grounds to dismiss disciplinary proceedings against a Judge of the Constitutional Court shall include cases when:

1) the Constitutional Court identifies circumstances indicating that the motion specified in part three of this Article is ungrounded;

2) powers of the Judge of the Constitutional Court subjected to disciplinary proceedings are terminated;

3) the Constitutional Court identifies circumstances indicating the violation of requirements set out in part ten of this Article;

4) the Constitutional Court identifies circumstances indicating the expiration of time limits established by part two of this Article.

Regardless of the circumstances stipulated in paragraph one of this part of this Article, disciplinary proceedings against a Judge of the Constitutional Court shall be dismissed if the Constitutional Court fails to adopt a resolution on bringing the judge to disciplinary responsibility within six months upon its receipt of the motion specified in part three of this Article.

10. If the Constitutional Court adopts a resolution to dismiss disciplinary proceedings, a repeated motion stipulated by part three of this Article shall not be allowed in relation to circumstances underlying the initial motion.

11. Resolutions and rulings provided for by this Article hereof shall be adopted at the ad hoc plenary session of the Constitutional Court of voted by at least 10 judges of the Constitutional Court (except for the resolution on dismissal of the Judge of the Constitutional Court which must be voted for by at least twelve judges of the Constitutional Court). The Judge of the Constitutional Court subjected to disciplinary proceedings shall not vote.

12. The Constitutional Court may provide, in its internal acts, details of the disciplinary proceedings against a Judge of the Constitutional Court, the procedure for setting up and functioning of the Committee. Internal acts of the Court may neither impose additional obligations on a Judge of the Constitutional Court subjected to disciplinary proceedings nor restrict his/her rights provided for by the current legislation”.

g) Article 28 shall be supplemented with part two worded as follows:

“2. Annual full-time paid leave shall be granted simultaneously to all judges of the Constitutional Court”;

h) in Article 42:

paragraph 1 of part three shall be reworded as follows:

“information on constitutional submissions, petitions and complaints and texts of constitutional complaints that resulted in a decision to initiate or refuse the initiation of constitutional proceedings (with personal data and sensitive information concealed, save for the name of the subject of the right to constitutional complaint)”;

part four shall be reworded as follows:

“The Court shall provide information upon requests pursuant to the Law of Ukraine “On access to public information”. Information shall not be provided upon requests concerning a case pending before the Court, save for cases determined by this Law, and unless the Senate or the Grand Chamber considering the case decide that provision of such data at the time of case consideration will not cause damage to the interests of the state, justice, independence of the

Court, reputation and rights of other people. A request for files of the case pending before the Court shall be forwarded for consideration by the Senate, the Grand Chamber and reviewed at the ordinary plenary session in the case with subsequent ruling thereupon”.

i) in part two of Article 44:

paragraph 11 shall be reworded as follows:

“every six months, summarizes practices of Court act execution, initiation of and refusal to initiate constitutional proceedings by the Court – with subsequent communication of such summary to judges of the Constitutional Court and publication on the Court's website”;

add paragraph 13 worded as follows:

“13) shall be entitled to access information resources of the Unified State Register of Court Decisions in the manner stipulated by the Law of Ukraine “On access to court decisions”. A list of employees with a right to access the Unified State Register of Court Decision shall be determined by the President of the Court”.

Section VIII. TRANSITIONAL PROVISIONS

1. Prior to the introduction of the Register of Acts of the Constitutional Court, all Court acts stipulated by Article 50 of this Law and related to constitutional proceedings shall be subject to promulgation on the Court's website on the day of their adoption.

Court rulings containing information concerning the in-camera part of the plenary session of the case shall not be made public.

The following information may not be disclosed in the texts of Court acts subject to promulgation:

1) place of residence or stay of individuals, phone numbers or other communication means, e-mail addresses, taxpayer's record card numbers, details of identity documents, unique entry numbers in the Unified State Demographic Register;

2) vehicle registration numbers;

3) bank account numbers, payment card numbers;

4) information protected by conducting case consideration or commission of certain procedural actions in a closed plenary session.

Such information shall be replaced by alphanumeric symbols. Surnames, given names and patronymic of individuals, shall not be hidden in acts entered into the Register.

2. Prior to the day when the Automated document management system of the Constitutional Court starts functioning, the Court shall adopt a Provisional regulation on document management within the Constitutional Court which then temporary governs the procedure for resolving issues regulated by the Automated document management system within the Constitutional Court of Ukraine under this Law.

3. Part two of Article 41 of this Law shall be applied to cases initiated following constitutional complaints, where constitutional proceedings were instituted by the Court after the Law had come into force. Cases initiated following constitutional complaints where constitutional proceedings were instituted before the entry of this Law into force and still pending before Senates, shall be forwarded for the consideration by the Grand Chamber unless the Senate completes case consideration within six months after this Law enters into force.

**Speaker of the Verkhovna Rada
of Ukraine**

Dmytro RAZUMKOV