



Report name	Issued recommendations	Execution status
<p>Systemic report "Challenges for government and business in dealing with local government"</p>	<p>To continue setting up ASCs. To improve the quality and level of administrative services being provided, the Regional Development Ministry should, in coordination with other CEBs, ensure that consultative, expert, methodological and other support is provided to unified territorial communities so that they can set up and organize operations to provide administrative services in these centers. Ministry of Regional Development, Construction and Residential Services</p>	<p>Implemented — comments: As of 7 March 2018, 746 ASCs were created. Within the framework of the "U-LEAD with Europe" program, support is provided for creation and improvement of up to 600 ASCs by the end of 2020, including information and communication infrastructure creation.</p>
	<p>To organize professional development programs for officials in LGAs, local council deputies, and civil servants at LEBs to improve personnel quality for the decentralization process and the future functioning of local executive bodies and LGAs so that they can properly exercise their new powers; engage relevant state institutions, associations of local governments and civil society institutions in this process. Ministry of Regional Development, Construction and Residential Services</p>	<p>Implemented — comments: The Ministry of Regional Development, Construction and Residential Services with the assistance of foreign partners (DESPRO, GIZ, UNDP, Dialog, U-LEAD, etc.), is carrying out measures to provide methodological and practical assistance to local authorities. Methodological recommendations have been developed; training seminars, lecture courses, exchange of positive experience take place regularly. Methodological support on prevention of corruption is carried out for civil servants and local authorities by the National Agency of Ukraine on Civil Service together with the National Academy of Public Administration under the President of Ukraine. About 70 000 employees are training each year.</p>
	<p>To monitor and evaluate the work of local state administrations and their officials to ensure impartial oversight and greater effectiveness in public administration, in line with the new Law of Ukraine "On the civil service." Ministry of Regional Development, Construction and Residential Services</p>	<p>Implemented — comments: Monitoring and assessment of the of local state administrations and their officials activities is stipulated in the Draft Law "On Service in Local Self-Government Authorities" No.2489. The CMU Resolution No.987 dated 21 December 2011 "On Annual Reports of Heads of Oblast, Kyiv and Sevastopol City State Administrations" obliges the Heads of Oblast, Kyiv and Sevastopol City State Administrations to submit reports annually (by February 1) on exercising the assigned powers by the relevant state administrations as well as on the development status of the respective territory according to the established form.</p>
	<p>To join forces with all-Ukrainian associations of LGAs and similar organizations to provide LGAs and LEBs with guidelines for actually carrying out the process of unifying communities, with particular attention to the procedure for transferring contractual commitments. Ministry of Regional Development, Construction and Residential Services All-Ukrainian associations of LGAs</p>	<p>Implemented — comments: The methodical recommendations were developed and newly elected united territorial communities were provided with the necessary informational materials.</p>
	<p>To develop recommended guidelines for local government agencies regarding: compliance of land lease-related regulations adopted by local councils with Ukrainian law; the inclusion of clear rules for the LGA and individuals interested in leasing a land plot or extending an existing lease to act, including clear timeframes for LGAs to make decisions to offer or not offer a land plot for lease, a list of required documents, publicly accessible texts of related regulations, and so on. Ministry of Regional Development, Construction and Residential Services Ministry of Agricultural Policy and Food State Regulatory Service</p>	<p>Implemented</p>

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Systemic report "Reducing the risk of corruption and attracting investment to the construction industry"	To develop an appeal mechanism against local architecture and construction oversight actions. Ministry of Regional Development, Construction and Residential Services SACI	Implemented — comments: http://www.dabi.gov.ua/detsentralizatsiya/ 65 newly created state architectural and construction controlling authorities operate locally. In accordance with p. 4 of subpara. 2 of para. 4 of the Regulation, SACI checks the legality of decisions as regards urban development activities adopted by supervisory authorities, as well as in accordance with subpara. 4 of para. 4, cancels or suspends the effect of decisions made by supervisory authorities in accordance with its powers, established by law, that violate legislative requirements as regards urban development activities, with simultaneous drawing up of a protocol in accordance with the Code of Administrative Offenses of Ukraine and subsequent disclosure of such information at the SACI official website; para. 11 stipulates that SACI shall decide on registration or return of the Declaration on object readiness for operation by means of supervision (without a right to register declarations), granting or revoking the permit for execution of construction works (without a right to issue a permit), and on refusal to issue a certificate (without the right to issue a certificate).
	To institute an "e-office" for submitting documents to SACI for the purpose of getting building permits. Ministry of Regional Development, Construction and Residential Services SACI	Implemented — comments: The Order of the Ministry of Regional Development of Ukraine No.166 dated 16 July 2015 "On Amendments to the procedure for functioning of electronic system for implementation of declarative procedures in construction", which introduces access of entities to information on the procedure for implementation of declarative procedures in construction in electronic form via the website of the System: https://e-dabi.gov.ua/
	To institute tacit consent for projects that represent a low level of complexity, in the form of an electronic notice that cannot be rejected by oversight agencies and gives the automatic right to begin construction. Ministry of Regional Development, Construction and Residential Services SACI	Implemented — comments: The Order of the Ministry of Regional Development of Ukraine No.118 dated 18 May 2017 "On amending the procedure for maintaining the unified register of documents that grant right to perform preparatory and construction works and certify acceptance of fully-constructed objects into operation, information on return for revision, refusal to issue and cancellation of indicated documents".
	To introduce check of information that is in state registers without involvement of applicant when preparing licenses to carry out construction works. Ministry of Regional Development, Construction and Residential Services SACI	Implemented — comments: P. 7 of Art. 12 of the Law of Ukraine "On licensing various commercial activities" has been amended in accordance with the Law of Ukraine dated 26 November 2015 No.835-VIII
	To propose amendments to the Law of Ukraine "On regulating urban development activity" and several other legislative acts to replace the procedures for registering notices of commencing construction and the commissioning of buildings of average and significant liability class on commencing construction and the commissioning of buildings with permits to carry out such construction works and certificates accordingly. Ministry of Regional Development, Construction and Residential Services	Implemented
	To work with regional administrations to determine the state of urban development documentation in specific towns and the need to develop it in order to resolve the question of adding specific expenditures to the list of those what might be covered by the State Regional Development Fund in the next budget cycle. Ministry of Regional Development, Construction and Residential Services	Implemented
	To collaborate with local government agencies, related associations, professional business societies, and experts to identify and draft amendments to the Law of Ukraine "On regulating urban development activity" in terms of cancelling the equity contribution for developers or improving the current procedure by, for instance, authorizing the CMU to establish a universal procedure and payment for contributing the equity, to ensure that this contribution is used for the stated purpose, and to mandate local government agencies to regularly publish information about the size of accumulated contributions and the ways they are being utilized. Ministry of Regional Development, Construction and Residential Services	Implemented

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	<p>To draft a legal act approving the technical regulation of building materials in full compliance with the EU Regulation No.305/2011, passed by the European Parliament and the Council on 09 March 2001, to establish harmonized conditions for placing building materials on the market, and repealing the Council's Directive No.89/106/EEC, in compliance with Ukraine's commitments to the Association Agreement.</p> <p>Ministry of Regional Development, Construction and Residential Services</p>	<p>Implemented</p>
	<p>To propose amendments to Ukrainian land legislation to directly obligate LEBs to re-sign leasing agreements for land plots with new owners of the properties following a simplified, transparent procedure</p> <p>Ministry of Regional Development, Construction and Residential Services Ministry of Justice</p>	<p>Implemented</p>
	<p>To provide clear distribution of powers between different agencies regarding the assignment of postal addresses to buildings and properties, in Sec. I "Organizational and legal basis for local government" in the Law of Ukraine "On local governance" and Part 1 "The competencies of local state administrations" in the Law of Ukraine "On local state administrations".</p> <p>Ministry of Regional Development, Construction and Residential Services</p>	<p>Implemented</p> <p>— comments: On 20 March 2018, the Council received a letter from the Ministry of Regional Development, Construction and Residential Services dated 02 March 2018. No.7/14-2227, according whereto the last Draft Law "On amending certain laws of Ukraine regarding improvement of urban development" was elaborated (as of 04 May 2016 No.4585), which regulated the issue of assigning postal addresses to the construction sites within and outside the settlements. However, according to the letter of the CMU dated 30 December 2017 No.7532/0/2-17, the said Draft Law was withdrawn from VRU. At present, suggestions for regulating the issue of determining the procedure for providing a construction site with address are included in the Draft Laws "On amending certain legislative acts of Ukraine on improving the investment climate in Ukraine" (No.6540 dated 06 June 2017) and "On amending certain legislative acts of Ukraine in the sphere of urban development" (No.7085 dated 06 September 2017), which are included on the agenda of the seventh session of the VRU of the eighth convocation in accordance with the resolution of the VRU No.2149-VIII dated 10 March 2017. On 22 March 2018 the Draft Law "On amending certain legislative acts of Ukraine in the sphere of urban development" No.7085 dated 09 June 2017 was adopted in the first reading. At the moment, the Draft Law is being prepared for a second reading.</p>
	<p>To establish procedures for assigning a postal address in the Law of Ukraine "On postal communication" by: (i) designating the CMU as the authorized body to establish a procedure for assigning addresses with a complete list of documents necessary, reasons for possible refusal, and other key issues; and (ii) establishing that the term "postal address" may only be used in the context of legislation on postal services.</p> <p>Ministry of Regional Development, Construction and Residential Services</p>	<p>Implemented</p> <p>— comments: On 20 March 2018, the Council received a letter from the Ministry of Regional Development, Construction and Residential Services dated 02 March 2018. No.7/14-2227, according whereto the last Draft Law "On amending certain laws of Ukraine regarding improvement of urban development" was elaborated (as of 04 May 2016 No.4585), which regulated the issue of assigning postal addresses to the construction sites within and outside the settlements. However, according to the letter of the CMU dated 30 December 2017 No.7532/0/2-17, the said Draft Law was withdrawn from VRU. At present, suggestions for regulating the issue of determining the procedure for providing a construction site with address are included in the Draft Laws "On amending certain legislative acts of Ukraine on improving the investment climate in Ukraine" (No.6540 dated 06 June 2017) and "On amending certain legislative acts of Ukraine in the sphere of urban development" (No.7085 dated 06 September 2017), which are included on the agenda of the seventh session of the VRU of the eighth convocation in accordance with the resolution of the VRU No.2149-VIII dated 10 March 2017. On 22 March 2018 the Draft Law "On amending certain legislative acts of Ukraine in the sphere of urban development" No.7085 dated 09 June 2017 was adopted in the first reading. At the moment, the Draft Law is being prepared for a second reading.</p>
	<p>To amend the Laws of Ukraine "On local governance", "On local state administrations", "On regulating urban development activities," "On framework of urban development", "On architectural activity", and "On advertising", being aimed at determining the address of the location of a construction site and further use in the context of regulation of the construction, commissioning of objects, as well as state registration of real rights to real estate.</p> <p>Ministry of Regional Development, Construction and Residential Services</p>	<p>Implemented</p> <p>— comments: On 20 March 2018, the Council received a letter from the Ministry of Regional Development, Construction and Residential Services dated 02 March 2018. No.7/14-2227, according whereto the last Draft Law "On amending certain laws of Ukraine regarding improvement of urban development" was elaborated (as of 04 May 2016 No.4585), which regulated the issue of assigning postal addresses to the construction sites within and outside the settlements. However, according to the letter of the CMU dated 30 December 2017 No.7532/0/2-17, the said Draft Law was withdrawn from VRU. At present, suggestions for regulating the issue of determining the procedure for providing a construction site with address are included in the Draft Laws "On amending certain legislative acts of Ukraine on improving the investment climate in Ukraine" (No.6540 dated 06 June 2017) and "On amending certain legislative acts of Ukraine in the sphere of urban development" (No.7085 dated 06 September 2017), which are included on the agenda of the seventh session of the VRU of the eighth convocation in accordance with the resolution of the VRU No.2149-VIII dated 10 March 2017. On 22 March 2018 the Draft Law "On amending certain legislative acts of Ukraine in the sphere of urban development" No.7085 dated 09 June 2017 was adopted in the first reading. At the moment, the Draft Law is being prepared for a second reading.</p>

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Systemic report "Natural monopolies vs. competitive business: how to improve relations"	To develop amendments to the Law of Ukraine "On regulating Urban Development Activities" to encourage local governments to develop territorial and detailed zoning plans. Ministry of Regional Development, Construction and Residential Services	Implemented — comments: Implemented in a different way.
	To develop amendments to the Law "On regulating urban development activities" regarding the cancellation of developer's equity contribution as an outdated mechanism that is applied in a non-transparent way and appears to be an indirect tax, which is forbidden by law. Ministry of Regional Development, Construction and Residential Services	Implemented
	To organize public hearings with business associations, experts and the community to come up with better instruments for territorial development on a transparent basis. Ministry of Regional Development, Construction and Residential Services	Implemented
	To develop a concept of switching to a fixed hook-up fee with due consideration of all required procedures, financial sources and stakeholders that relieves the customer from the obligation to seek Technical Specifications for getting hooked up. National Energy and Utilities Regulatory Commission Ministry of Regional Development, Construction and Residential Services	Implemented — comments: There is a final (but not yet approved with the Energy Community) Draft Methodology (order) for the formation of the fee for hooking-up to transmission and distribution systems. Also, according to the clause 4.6.2 of the Code on Distribution Systems in the case of standard and non-standard "turnkey" hook-up, the development of design and appraisal documentation for the electrical installation of external power supply is carried out by the DSO (and includes an input device with a switching device). Meanwhile, the technical specifications contain requirements for engineering maintenance in the customer's networks and, accordingly, the design and construction thereof shall be ensured by the Customer; the terms of reference (technical task) contain the requirements for engineering maintenance in the DSO networks and, accordingly, their design and construction shall be carried out by the DSO
	To take into account all possible sources of funding (for modernization) in order to establish fair hooking-up fee. National Energy and Utilities Regulatory Commission Ministry of Regional Development, Construction and Residential Services	Implemented — comments: There is a final (but not yet approved with the Energy Community) Draft Methodology (order) for the formation of the fee for hooking-up to transmission and distribution systems.
	To develop clear parameters of hooking-up fee calculation. National Energy and Utilities Regulatory Commission Ministry of Regional Development, Construction and Residential Services	Implemented — comments: In May 2017 the NEURC has developed and provided on its website an Estimated Cost Calculator for the standard hook-up service: http://www.nerc.gov.ua/?calc=ok Furthermore, the formula for calculating the fee for non-standard connection, contained in the Draft Methodology (order) for the formation of the hooking-up fee for the transmission and distribution systems, allows to calculate the cost of such a hook-up in advance