



IMPLEMENTATION OF THE SYSTEMIC RECOMMENDATIONS

(JULY 2015 – MARCH 2018)

LIST OF ABBREVIATIONS

BOC	Business Ombudsman Council	MD NP	Main Investigation Department of the National Police of Ukraine
CMU	Cabinet of Ministers of Ukraine	PGO	Prosecutor General's Office of Ukraine
VRU	Verkhovna Rada of Ukraine	SSU	Security Service of Ukraine
MEDT	Ministry of Economic Development and Trade	AMCU	Antimonopoly Committee of Ukraine
MinReg	Ministry of Regional Development, Construction, Housing and Residential Services	Administration of the President	Administration of the President of Ukraine
MinAgro	Ministry of Agricultural Policy and Food	SACI	State Architecture and Construction Inspection of Ukraine
MinEco	Ministry of Environment and Natural Resources	SPF	State Property Fund of Ukraine
MinJust	Ministry of Justice	NACP	National Agency on Corruption Prevention
MinSoc	Ministry of Social Policy	SJA	State Judicial Administration
MinFin	Ministry of Finance	KMSA	Kyiv Municipal State Administration
MinInf	Ministry of Infrastructure	GeoCadastre	State Service of Ukraine for Geodesy, Cartography and Cadastre
MinEnergy	Ministry of Energy and Coal Industry	OSA	Oblast State Administration
Export Control Service	State Export Control Service	LSA	Local State Administration
SFS	State Fiscal Service of Ukraine	MEA	Municipal Executive Authorities
SRS	State Regulatory Service	AUC	Association of Ukrainian Cities
NEURC	National Energy and Utilities Regulatory Commission		

Recommendations issued to relevant authorities and implementation rate

Total number
of recommendations
issued since launch
of operations

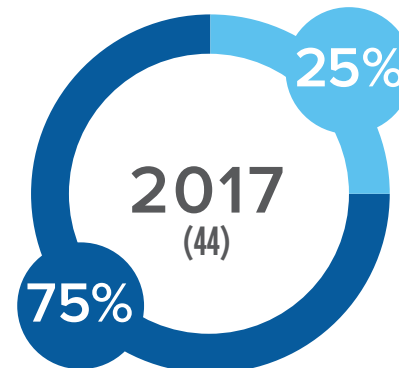
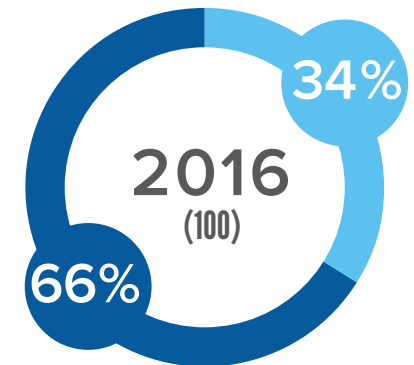
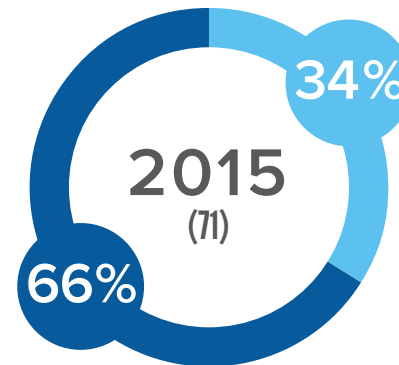
226

Recommendations
implemented

32%*

Recommendations
subject to monitoring

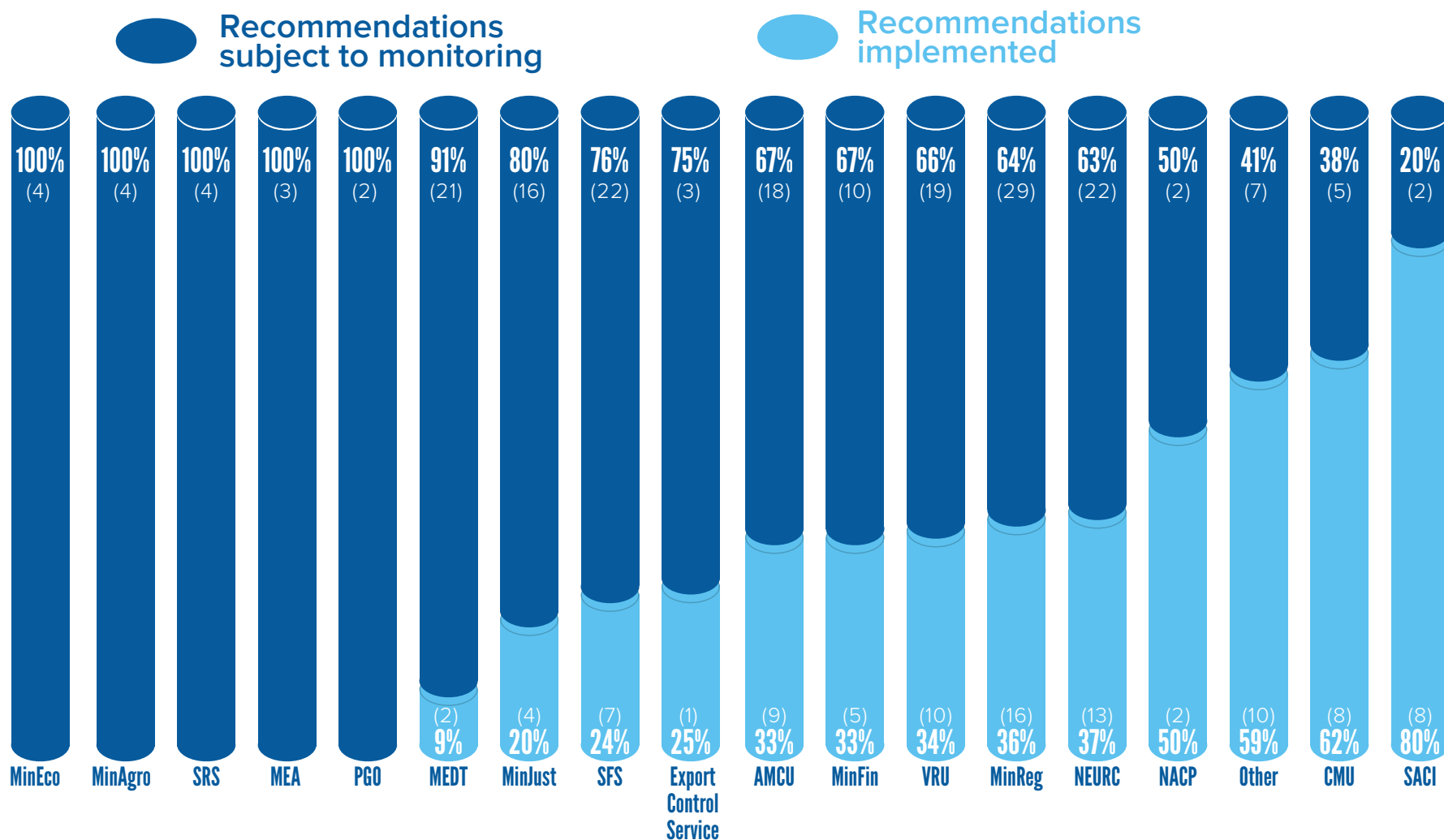
68%



Recommendations
subject to monitoring

Recommendations
implemented

Government agencies whom the BOC issued recommendations and ratio of implementation



July 2015

SYSTEMIC REPORT "PROBLEMS FOR BUSINESSES AS A RESULT OF THE MILITARY SITUATION IN THE EAST OF UKRAINE AND THE ANNEXATION OF CRIMEA"



REPORT ON SYSTEMIC PROBLEM

Problems for businesses as a result of the military situation in the east of Ukraine and the annexation of Crimea

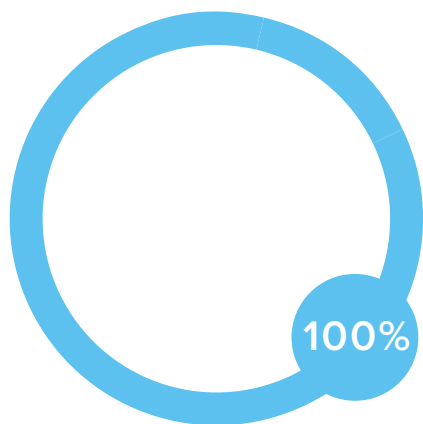


July 2015

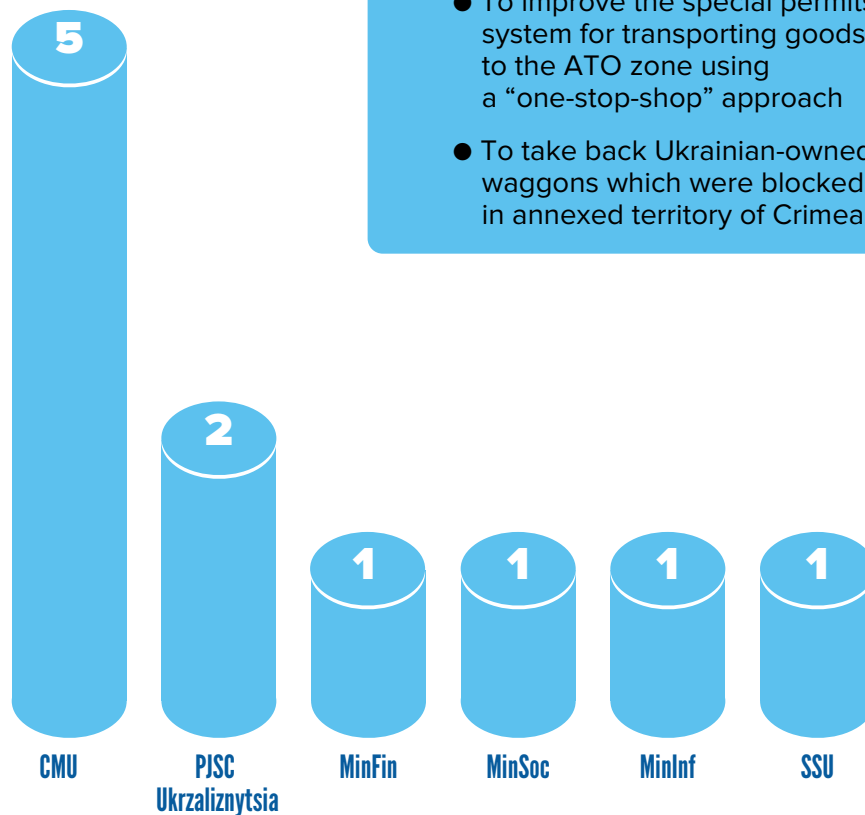
Total number of recommendations issued **8**



- To fulfil all financial commitments to businesses whose employees were mobilized for a "specified term" of the ATO
- To improve the special permits system for transporting goods to the ATO zone using a "one-stop-shop" approach
- To take back Ukrainian-owned waggons which were blocked in annexed territory of Crimea



- Recommendations subject to monitoring
- Recommendations implemented



July 2015

SYSTEMIC REPORT "GETTING ACCESS TO ELECTRICITY"

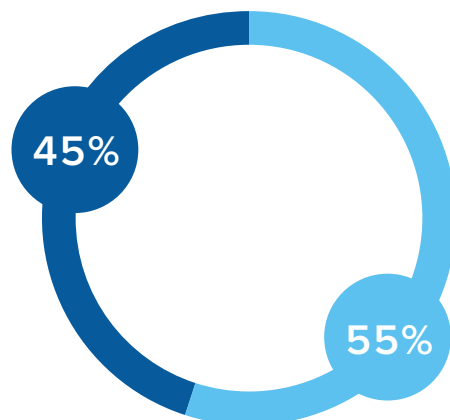



SYSTEMIC REPORT
Getting access
to electricity



July 2015

Total number
of recommendations
issued **11**



 Recommendations
subject to monitoring

 Recommendations
implemented



- To introduce a fixed rate for getting hooked-up
- To ensure that design documentation is prepared by a power utility
- To simplify approval of design documentation by establishing fixed timeframes



- To improve procedure of land plot's allotment
- To ensure hooking up a customer's unit pursuant to a contract only (without filing a separate application)
- To prepare new and streamline existing zoning\territorial plans



NEURC



MinEnergy



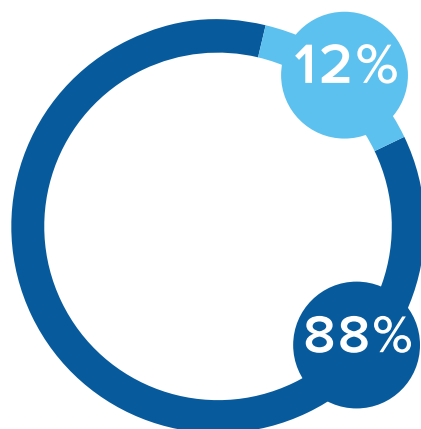
MinReg

October 2015

SYSTEMIC REPORT "PROBLEMS with CROSS-BORDER TRADING in UKRAINE"



Total number
of recommendations
issued **24**



- To improve the procedure of export contracts registration
- To publish a consolidated Official List of Goods Subject to State Export Control on the official website of the State Export Control Service
- To cancel the CMU Resolution No.724 dated September 16, 2015, by which the State Customs was empowered to apply indicative benchmarks to import customs value arbitrarily



- To draft amendments to the Law "On Foreign Economic Activities" for its significant liberalization
- To draft and adopt comprehensive User Guide on Strategic Goods and Services
- To amend the Customs Code and implement post-clearance control procedures



MEDT



SFS



Export Control
Service



CMU

Recommendations
subject to monitoring

Recommendations
implemented

October 2015

SYSTEMIC REPORT "PROBLEMS WITH ADMINISTERING BUSINESS TAXES IN UKRAINE"

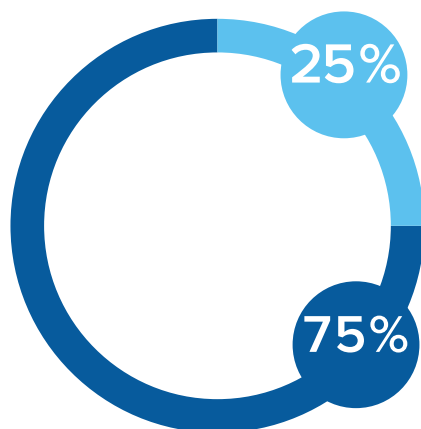


SYSTEMIC REPORT
PROBLEMS WITH ADMINISTERING
BUSINESS TAXES IN UKRAINE

OCTOBER 2015



Total number
of recommendations
issued **28**



 Recommendations
subject to monitoring

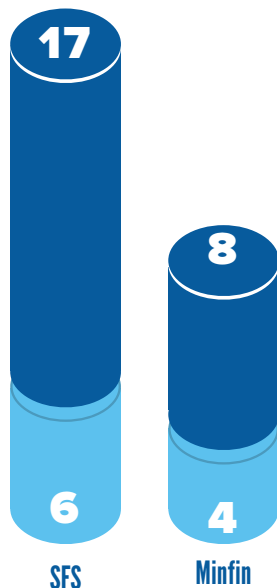
 Recommendations
implemented



- To introduce taxpayer's single electronic office
- To introduce mechanism enabling return of excessive balance on a taxpayer's VAT account
- To narrow down tax authorities' discretion to verify taxpayer's actual location



- To introduce effective system of automatic registration of tax invoices
- To ensure existence of fair and timely administrative appeal mechanism
- To introduce effective system of bringing tax officials to disciplinary (personal) liability

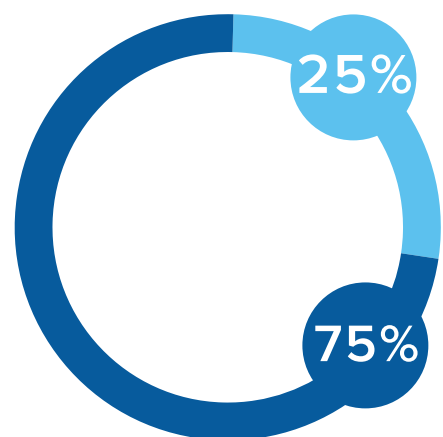


January 2016

SYSTEMIC REPORT "NATURAL MONOPOLIES vs. COMPETITIVE BUSINESS: how to improve relations"

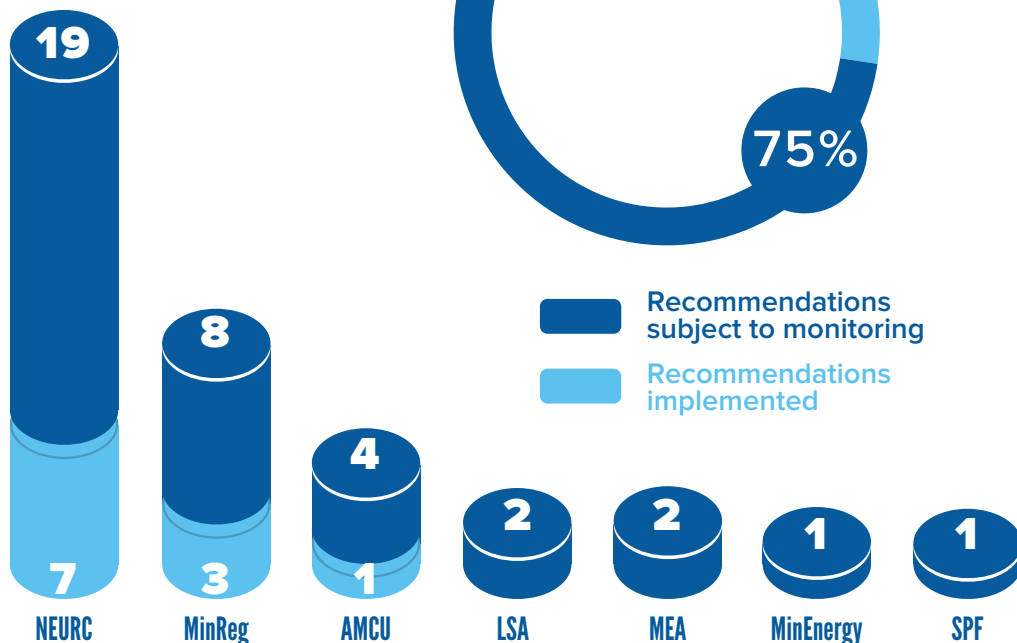


Total number
of recommendations
issued **32**



Recommendations
subject to monitoring

Recommendations
implemented



- To improve engineering network access (implemented partly for electricity and gas)
- To set rates in the transparent and clear way
- To provide access of the consumers to the key information on energy and utilities
- To introduce quality indicators in the spheres of utilities



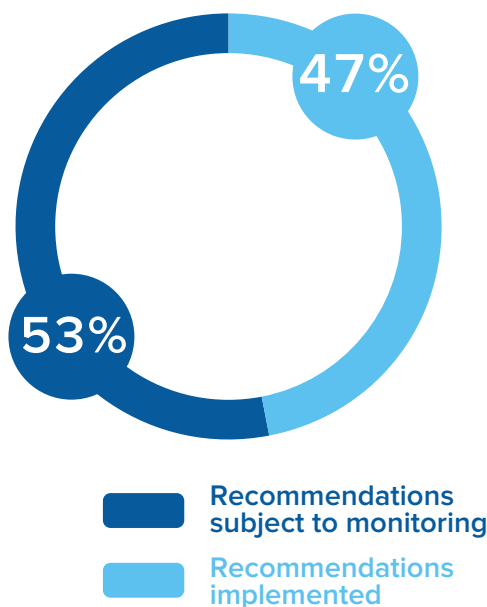
- To establish the requirements for service providers to disclosure key indicators of their operations on their websites
- To improve handling of customer complaints

January 2016

SYSTEMIC REPORT "ABUSE OF POWERS BY THE LAW ENFORCEMENT AUTHORITIES IN THEIR RELATIONS WITH BUSINESS"



Total number of recommendations issued **15**



- To prescribe maximum time limits for conducting pre-trial investigation of criminal proceedings until suspicion notice is furnished
- To tackle various types of abuses at the pre-trial investigation stage
- To improve mechanism of personal liability of law enforcers



- To prohibit criminal prosecution for tax evasion until tax liability is "approved/acknowledged"
- To develop methodological recommendations for persons lodging notices about committed criminal offence
- To prescribe maximum time limits for conducting expertise

July 2016

SYSTEMIC REPORT "REDUCING THE RISK OF CORRUPTION AND ATTRACTING INVESTMENT TO THE CONSTRUCTION INDUSTRY"

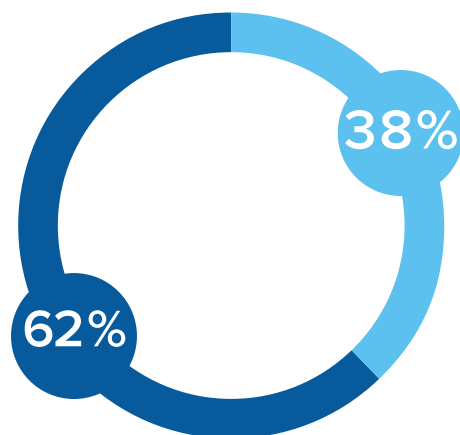
Business
OMBUDSMAN
Council

SYSTEMIC REPORT

REDUCING THE RISK OF CORRUPTION
AND ATTRACTING INVESTMENT
TO THE CONSTRUCTION INDUSTRY

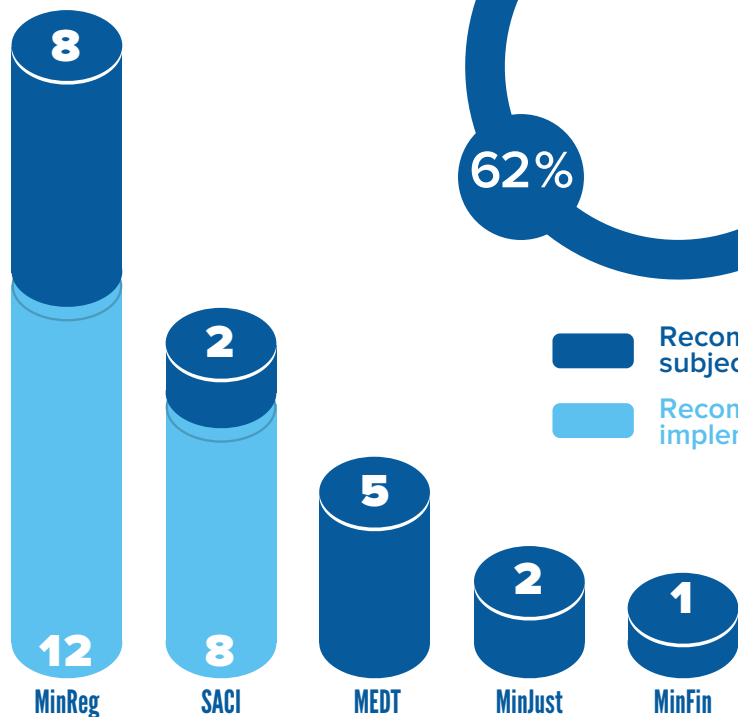


Total number
of recommendations
issued **26**



Recommendations
subject to monitoring

Recommendations
implemented



- To simplify obtaining of construction permits
- To harmonize conditions for placing building materials on the market in line with EU norms and standards
- To provide access to information on urban development, architecture and territorial planning



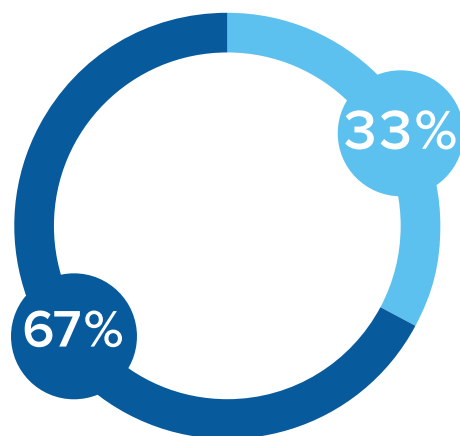
- To improve procedure or to cancel the current procedure of obligatory local development contribution
- To improve public procurement procedures in construction

November 2016

SYSTEMIC REPORT "CHALLENGES AND PROBLEMS IN THE SPHERE OF COMPETITION PROTECTION AND OVERSIGHT"



Total number
of recommendations
issued **27**



AMCU




VRU




CMU



SPF

 Recommendations
subject to monitoring

 Recommendations
implemented



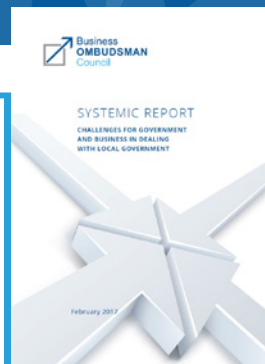
- To ensure that AMCU's annual plans specify the main priority areas for the forthcoming year, including markets to be studied
- To publicize the main content of individual recommendations issued by the AMCU
- To adopt legislation in the sphere of state aid



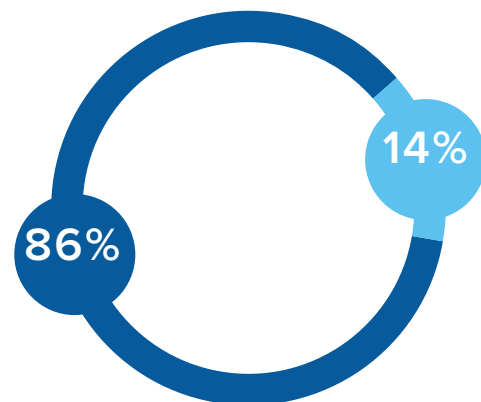
- To adopt the National Competition Development Program
- To ensure split of the AMCU's investigatory and decision-making authority
- To ensure existence of Methodology for Calculating the Amount of Fines in the form of proper legislative act

February 2017

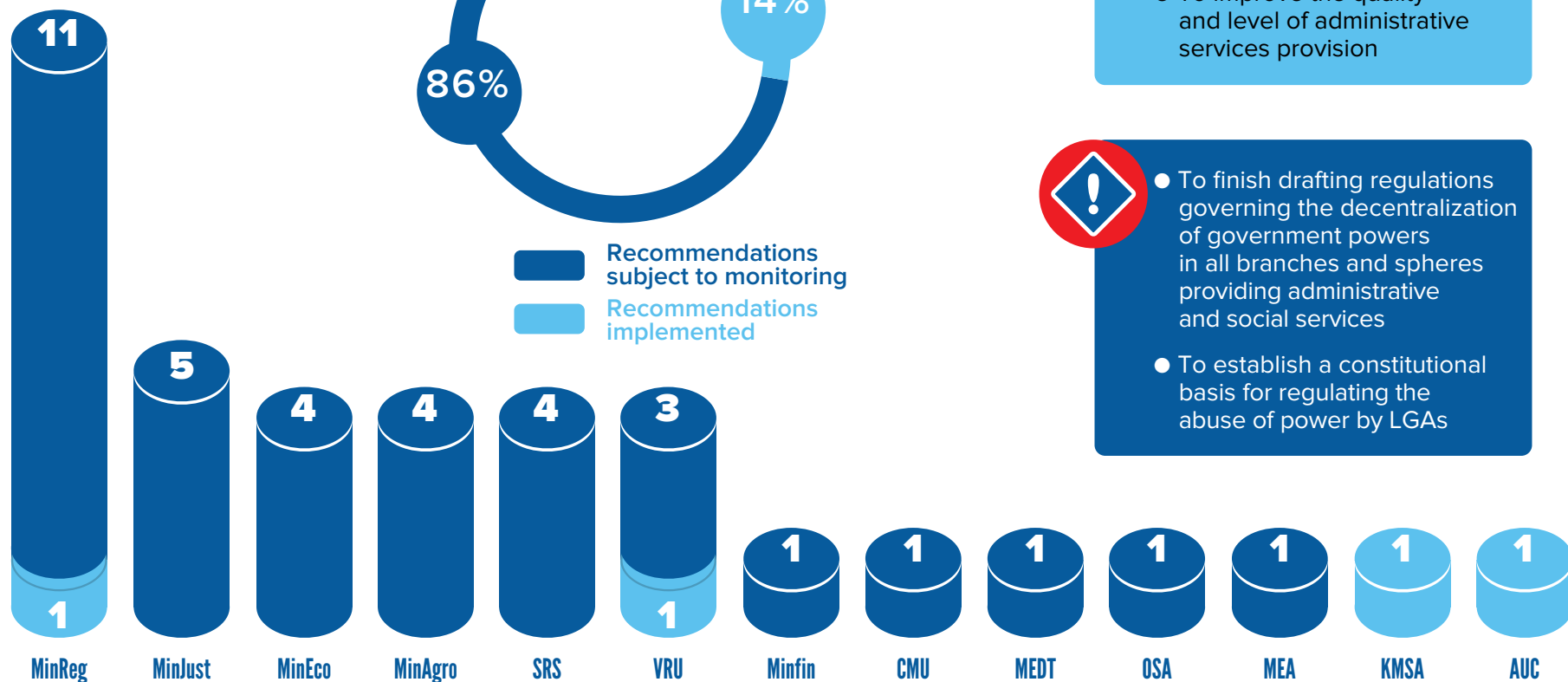
SYSTEMIC REPORT "CHALLENGES FOR GOVERNMENT AND BUSINESS IN DEALING WITH LOCAL GOVERNMENT"



Total number
of recommendations
issued **22**



■ Recommendations
subject to monitoring
■ Recommendations
implemented



- To remove legal gaps and foster voluntary unification of territorial communities
- To improve land lease procedures
- To improve the quality and level of administrative services provision



- To finish drafting regulations governing the decentralization of government powers in all branches and spheres providing administrative and social services
- To establish a constitutional basis for regulating the abuse of power by LGAs

July 2017

SYSTEMIC REPORT “COMBATTING RAIDERSHIP: CURRENT STATE AND RECOMMENDATIONS”

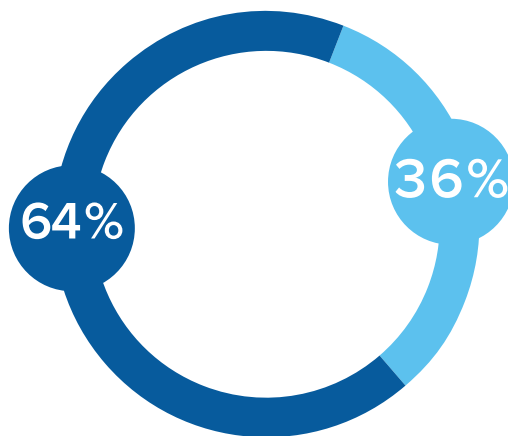
Business
OMBUDSMAN
Council

SYSTEMIC REPORT
COMBATTING RAIDERSHIP: CURRENT
STATE AND RECOMMENDATIONS



2017

Total number
of recommendations
issued **22**



Recommendations
subject to monitoring

Recommendations
implemented



MinJust



NACP



VRU



Administration
of the President



CMU



MD NP



PGO



MinReg



SJA



GeoCadastré



- To ensure full synchronization of data with the Registry of Real Rights and the State Land Cadastre
- To publicize results of off-site documentary audits of state registrars
- To remove jurisdictional conflicts in court disputes pertaining to the sphere of state registration



- To introduce the system of notification of owners of corporate rights about pending registration actions
- To develop methodological recommendations for law enforcers focused on investigation of the most common instances of raidership
- To ensure full technical interaction between the Registry of Real Rights and the Unified State Registry of Court Decisions