







BRDO ANNUAL REPORT 2020

Better Regulation Delivery Office is the leading Ukrainian better regulation think tank with an implementation focus. BRDO is a nonprofit NGO created in 2015 to support the GoU in carrying out medium and long-term business environment economic reforms in a politically unstable environment. Our mission is to play a key role in transforming Ukraine into a European well-governed democratic society underpinned by strong economy.

5 YEARS OF ACTIVITY:

in 2020

63

policy papers (fitness checks) 166

adopted (co-)drafted legislative acts implementing policy recommendations

+36 in 2020

1245

abolished legislative acts identified to be outdated and/or illegal

award-winning digital tools used by SMEs, inspectors and regulators

THIS RESULTED IN:



UAH 25 billion

costs saved by SMEs



UAH 5.5 billion

public expenditures costs saved

2016

2017

Adopted legislative acts

Repealed legislative acts

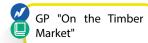
Studies

Last year we had the largest-scale policy successes to date. At the same time, Ukraine is facing a combination of hybrid challenges with weak societal institutions and public administration. This makes our roles even more important: reform engineers, advocates, watchdog, advisers, coordinators. Every year our initiative grow in scale and so grows the opposition from vested interests. We outplay them by continuously engaging across organisational barriers to sustain the reform momentum. Boosting and demonstrating the capacity to carry out reforms has recently become even more important amid reform efforts discreditation campaigns.



AGRICULTURE

1. Forest industry reform



Presidential Decree (Forestry support action plan)

Resolution of the Cabinet of Ministers of Ukraine on the implementation of a pilot project for the sale of raw wood in the Carpathians forests

Approval of forest industry development strategy

Resolution of the Cabinet of Ministers of Ukraine on the electronic timber accounting (ETA) introduction

The Law of Ukraine "On Forest Inventory On Conducting a national forest inventory" # 643-IX

Allows to develop a plan for the rational use of forest resources, will allow to update information on forest area, timber stocks, quantitative and qualitative indicators, health and dynamics of Ukrainian forests and provide access to such information, form a basis for strategic forest management planning.

Approval of the ETA instruction

Government's Priority Action Plan for 2020 (registration #1133) (increasing the forest industry management efficiency)

Development adoption of a draft law on a single unified approach to the issuance of logging cards

The state program of stimulating the economy to overcome negative effects caused by restrictive measures due to the COVID-19 pandemic (registration #534) is aimed at creating additional jobs in forestry, ensuring sustainable development of the forest industry, regulating the timber market at the legislative level.

Finalization of the Law of Ukraine "On the Timber Market" (new timber trade rules)

- Resolution of the Cabinet of Ministers of Ukraine "On Sanitary Felling" (registration #1224)
 - Continuous sanitary felling in the Carpathians forests are radically limited, reforestation felling is banned, new restrictions on felling in nature reserve funds are established.
- Law of Ukraine "On Strengthening of Responsibility for Actions Aimed at Air Pollution and Destruction or Damage to Flora" (registration #556-IX)
- Strengthens administrative liability for violations of forest fire safety requirements, as well as criminal liability for destruction or damage to forests.
- On Strengthening of Forest Protection, Prevention of Fires on Forest and Water Fund Lands, Peat Lands and Lands of Other Categories (registration #3526)
 - Allows implementing effective systemic measures to protect forests and preserve natural ecosystems, prevent fires on forest and water fund lands, peatlands, and lands of other categories, increase the efficiency of management and control.











2. Irrigation and drainage reform

2020 2021

GP "Irrigation and Drainage", a three-level organizational and economic model of reforming the management of reclamation systems in Ukraine

Development of a draft Law "On Water-Related and Reclamation Infrastructure Management"

Order of the Cabinet of Ministers of Ukraine "On approval of the Action Plan to implement the irrigation and drainage strategy in Ukraine until 2030" (registration #1567-r)

Finalization of the draft Law "On Associations of Water Users" as part of the working group at the State Water Resources Agency and the interdepartmental working group on the irrigation and drainage development at the Ministry of Economic Development

▶ Provides for practical steps to improve irrigation and drainage systems in Ukraine.

3. Better regulation of technical hemp market

GP "Technical hemp market"

Amendments to the regulatory acts regarding simplifying the technical cannabis market regulation

Business case "Technical hemp cultivation" at #StartBusinessChallenge SBC.REGULATION.GOV.UA

The concept of reforming the technical cannabis market

4. Improvement of state agricultural support

2020 2021

Analysis of Ukrainian legislation in the field

Monitoring

Law of Ukraine "On Amendments to Certain Laws of Ukraine on the Functioning of the State Agrarian Register and Improvement of State Support of Agricultural Producers" (registration #985-IX)

▶ A single state information system (State Agrarian Register) that will provide simplified registration of agricultural producers to receive budget support, automatic verification of their status through access to other state registers and cadastres, as well as reliable statistical information was created.

5. The market of organic products

GP "Market of production and development of organic products"

Law of Ukraine "On Basic Principles and Requirements for Organic Production, Circulation, and Marking of Organic Products" Resolution of the Cabinet of Ministers of Ukraine "On approval of the Procedure (detailed rules) for organic production and circulation of organic products"

On approval of the Procedure for maintaining the State Register of operators engaged in production in accordance with the requirements of legislation on organic production, circulation, and marking of organic products, the State Register of certification bodies in the field of organic production and circulation of organic products, the State Register of organic seeds and planting materials

it is planned to create a register of producers of organic products certified according to the Ukrainian standard, allowing anyone to check any products marked as organic by using a special code and make sure that these products meet organic standard rules or such marking is unfair advertising

Resolution of the Cabinet of Ministers of Ukraine "On approval of the Procedure for certification of organic production and/ or circulation of organic products and amendments to the resolution of the Cabinet of Ministers of Ukraine" (registration #970 23.10.2019)

6 AGRICULTURE

6. The market of plant protection products

2019 2020

GP "Regulation of domestic production and circulation of plant protection products"

GP "Regulation of transportation, storage, disposal of plant protection products"

Resolution of the Cabinet of Ministers of Ukraine #295 18.04.2018

Draft Law on Amendments to Article 4 of the Law of Ukraine "On Pesticides and Agrochemicals" Regarding Import of Pesticides into the Customs Territory of Ukraine (registration #2289 18.10.2019)

Aimed at canceling the requirement to provide documentary confirmation of state registration of plant protection products in the country where they are produced making it impossible today to access the latest original plant protection products for state tests and further registration in Ukraine.

Law of Ukraine "On Strengthening of Responsibility for Actions Aimed at Air Pollution and Destruction or Damage to Flora" (registration #556-IX 13.04.2020)

Strengthens administrative liability for violations of forest fire safety requirements, as well as criminal liability for destruction or damage to forests.

7. Beekeeping market reform

GP "Honey Market"

Development of regulatory acts on some beekeeping issues (regarding bee poisoning, simplification of bee farms registration)

Order of the Ministry of Agrarian Policy "On approval of the Requirements for natural floral (nectar) honey and natural honeydew honey suitable for human consumption, industrial use or as an ingredient in other foods"

Development of a draft Law "On Amendments to the Law of Ukraine on Beekeeping"

8. Improvement of agricultural insurance

Development of the draft Law "On Amendments to the Law of Ukraine on State Support of Agriculture"

9. Better regulation of nuts market



GP "Walnut Market Regulation"



The concept of effective nut market regulation

10. Simplification of agricultural and forestry vehicles registration



Implementation of EU technical regulations on agricultural vehicles

2020:

In 2021, the sector will continue to work on reforming agricultural markets. Comprehensive forest reform, development of the technical hemp market, reform of state support for agro-industrial complex and agricultural insurance, creation of a legal basis for the functioning of irrigation and drainage systems, oyster market, berry and mushroom market, support of beekeeping, simplification of agricultural machinery registration, Green Course and Ukraine biodiversity protection are among our priorities.

Together with the Supervision and Control Sector, we will work on the creation of an ECO platform (in the context of forest resources management) and the improvement of aquaculture regulation.



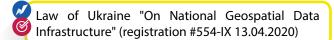
Iryna Gruzinska Agriculture Sector Head

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CONSTRUCTION

1. Creation of national geospatial data infrastructure

GP "Land formation and acquisition for new construction"



▶ The introduction of a single portal with free access to geospatial data of all cadastres and registers makes it possible for the state budget to save annually UAH 100 million currently spent due to inconsistencies between different administrators of cadastres and registers.

Development of regulatory acts aimed at ensuring the implementation of the Law

2. The system of management and deregulation improvement in the field of land relations

GP "Land formation and acquisition for new construction"

Draft Law "On amendments to the Land Code of Ukraine and other legislative acts regarding improving the system of management and deregulation in the field of land relations" (registration #2194 01.10.2019)

Participation in the finalization of the draft law #2194 before its second reading

Development of regulatory acts aimed at ensuring the implementation of the Law

3. Improved for land use planning

GP "Land formation and acquisition for new construction"

Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Concerning Land Use Planning" (registration #711-IX 17.06.2020)

▶ ATCs (amalgamated territorial communities) finally receive comprehensive plans for the spatial development of territories; Local self-government bodies receive the right to plan the entire territory development of respective communities both within and outside settlements.

Regulatory acts development aimed at ensuring the implementation of the Law

4. Better regulation for road construction

Analysis of the relevant legislation

Further revision of the draft law (registration # 2680) before its second reading

The Draft Law of Ukraine "On Optimization of Road Construction and Improvement of Urban Planning Laws" (registration #2680 27.12.2019)

Monitoring

 Will replace the procedure for obtaining a permit for reconstruction and major road repairs with a simple notification about construction activities launch.

5. State Architectural and Construction Inspectorate (SACI) reform

2020 2021

- Participation in drafting the law on reforming the provision of administrative and other services in construction
- Participation in the working group on the reforming the architectural and construction control and surveillance
 - ▶ Delimitation of functions and responsibilities of subjects of city-planning activity.
 - ▶ Improvement of legal regulation in the field of administrative and other services in the field of construction.
 - ▶ Creating preconditions for eliminating the corruption component in the provision of administrative services in the field of construction.
- Analysis of Cabinet of Ministers` draft resolutions and draft laws, warnings about the shortcomings of the Cabinet of Ministers` resolutions (registration #218 and #219 13.03.2020)
- Presidential Decree "On the Coordination Board on the issues in the sphere of city planning construction development" (registration #413/2020 29.09.2020)
- Stakeholder survey on the state architectural and construction control reform among construction market players (international, national, and regional construction companies, design, expertise, and technical supervision works (services) contractors, developers, and other companies.

6. Introduction of e-system in construction

2017

GP "Market of construction metal structures"

"Installation of internal specialized engineering networks, construction and pre-commissioning activities"

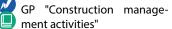
GP "Design of construction obiects"

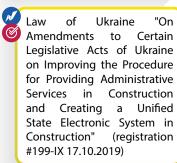
2018

GP "New construction of residential and public buildings market" (aviation safety requirements)"

GP "Land formation and acquisition for new construction

2019





Services should be switched into online format with the use of the electronic system.

Resolution of the Cabinet of Ministers of Ukraine "Some issues of deregulation of economic activity" #367 27.03.2019

Order of the Ministry of Regional Development "On approval of the Procedure for the functioning of e-cabinets in the field of urban planning" (registration #285 02.12.2019)

GP "Technical inventory of real estate"



Order of the Cabinet of Ministers of Ukraine "On approval of the Action Plan for creating and introducing a Unified State Electronic System in construction" (registration #565-r 20.05.2020)

The Resolution of the Cabinet of Ministers of Ukraine "On implementation of Pilot project on the first stage of the Unified State Electronic System in construction intro-

duction" #559 01.07.2020

Introduction of e-cabinets in the field of urban planning

Introduction of the first stage of the Unified State Electronic System in construction

Introduction of the Unified State Electronic System in construction



Draft Procedure for maintaining the Unified State Electronic System in the field of construction



Participation in the development of regulations aimed at implementing the Unified State Electronic System in the field of construction



Submission of proposals to the legal acts developed by the Ministry of Regional Development, aimed at the introduction of the Unified State Electronic System in the field of construction

Introduction of other e-system services



Drafting of regulatory acts on further development/ improvement of the Unified State Electronic System in construction

7. Placing construction products on the market

GP "Market of construction metal structures"

GP "Artificial construction materials: cement"

GP "Doors, windows, shutters, gates and related equipment for homes"

GP "Construction mortars, concrete, reinforced concrete, concrete products, other concrete, and cement products"

GP "Ceramic slabs and tiles"

Analysis of the EU Regulation No 305 and provisions of the Association Agreement with the EU

Rarametric standardization in construction

Law of Ukraine "On Supply of Construction Materials to the Market" (registration #850-IX 02.09.2020)

▶ Restoration of market surveillance, fight against defective and fake construction products by establishing clear requirements for placing construction products on the market, the definition of safety requirements for buildings and facilities throughout the life cycle, harmonization of Ukrainian legislation with EU Regulation No 305/2011.

Development of regulatory acts aimed at ensuring the implementation of the Law of Ukraine "On Supply of Construction Materials to the Market" (registration #850-IX 02.09.2020)

GP Provision of construction products on the market. Implementation of the Regulation (EU) #305/201

8. Address Register, Register of buildings, Register of administrative-territorial units and territories of territorial communities

Temporary procedure for implementing an experimental project on assigning addresses to construction sites and real estate objects (the Resolution of the Cabinet of Ministers of Ukraine «On the temporary procedure for implementing an experimental project on assigning addresses to construction sites and real estate objects» #367 27.03.2019)

Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on Improving the Procedure for Providing Administrative Services in the Field of Construction and Creating a Unified State Electronic System in the Field of Construction" (registration #199-IX 17.10.2019)

Concept of the Unified State Address Register of Ukraine

Draft Law "On Establishment of the Address Register, the Register of Buildings, the Register of Administrative-Territorial Units and Territories of Territorial Communities as a Part of the Unified State Electronic System in the Field of Construction"

GP "Technical inventory of real estate"

Proposals to Cabinet of Ministers' draft resolution "On Approval of the Procedure for Technical Inventory"

9. Protection of investors' rights in real estate that will be built in the future

Draft Law "On Amendments to Certain Legislative Acts of Ukraine Concerning Unfinished Construction Objects and Future Real Estate Objects" (registration #7084 06.09.2017)

Recommendations of the hearings in the Committee of the Verkhovna Rada of Ukraine on the organization of state power, local self-government, regional development, and urban planning on the topic: "Protection of investments in residential real estate and ways to solve the problems of affected investors" from 04.12.2019

Draft Law "On On Guaranteeing Real Rights to Real Estate to be Built in the Future"

- Creation of preconditions for the transparent attraction of investors' funds for construction financing by the introduction of state registration of investors' rights to construction objects and premises in the construction object.
- Creation of a mechanism to prevent the sale of premises in the construction site, in respect of which there is no right to perform construction work.
- ▶ Ensuring changes in the technical characteristics of the object (number of floors, area and functional appointment of common premises, etc.) by agreement of the investors, who purchased the premises in the construction site
- Creation of mechanisms to prevent the double sale of premises in the construction site.
- Draft Law on "Assistance to Affected Creditors in Completion of Problem Objects of Unfinished Apartment Housing"
- Participation in the working group of the Committee of the Verkhovna Rada of Ukraine on the organization of state power, local self-government, regional development, and urban planning to develop a draft law on the protection of future investments in housing and prevention of new problematic construction projects

10. Simplification of obtaining approvals for construction on the aerodrome territory

GP "Aviation safety requirements for new construction of residential and public buildings"

Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on Improving the Procedure for Providing Administrative Services in the Field of Construction and Creating a Unified State Electronic System in the Field of Construction" (registration #199-IX 17.10.2019) Draft Procedure for Determining in Urban Development Conditions and Limitations of Maximum Height and Planning Restrictions on Land Development on the Aerodrome Territory and Interaction for This Purpose of the Authorized Urban Planning and Architecture Authority with the Aerodrome Operator, Authorized Civil Aviation Authority, and/or Authorized Executive authorities in the field of state aviation, obtaining information on the excess of the aerodrome of state aviation (exceeding the highest point of the landing area above sea level)

III. Improving professional certification of responsible executors of certain types of works (services) related to the creation of architectural objects

GP "Market of construction metal structures"

Cabinet of Ministers' draft resolution "On Amendments to the Procedure for Professional Certification of Responsible Executors of Certain Types of Work (Services) Related to the Creation of Architectural Objects"

Proposals to the draft order of the Ministry of Regional Development "On approval of changes to the Procedure for payment for professional certification of responsible performers of certain types of work (services) related to the creation of architectural objects and its size"

12. Improving the receipt of administrative services in the field of cultural heritage protection (for construction)

GP "New construction on the territories of cultural heritage sites"

Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Concerning Planning of Lands Use"

GP "Restoration of cultural heritage sites"

Proposals to the draft Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on Preservation of the Traditional Nature of the Environment and Counteraction to Chaotic Development"

Participation in the working group at the Ministry of Culture to develop the Law of Ukraine on improving the management of cultural heritage by local communities with the involvement of the public and public organizations, as well as recommendations on public policy in this area

13. Building information modeling (BIM)

Memorandum of Cooperation (November 30, 2019) between the Ministry of Development of Communities and Territories of Ukraine, the Better Regulation Delivery Office (BRDO), the Association "Ukrainian Center for Steel Construction", the "Confederation of Builders of Ukraine" and "Interstate Guild of Consulting Engineers"

Participation in the working group at the Ministry of Regional Development to develop proposals for amendments to building code A.2.2-3: 2014 "Composition and content of design documentation for construction" (to perform the tasks defined by the Roadmap of priority steps to create conditions for building information modeling)

Advocacy for the introduction of building information modeling technologies (BIM-technologies) in Ukraine

Roadmap of priority steps for creating conditions for the introduction of building information modeling (BIM)

Proposals to the Concept of implementation of building information modeling technologies (BIM-technologies) in Ukraine

RESEARCH:

- 1 GP "Public Procurement in Construction" (+2 GP)
- Real estate system registration research

PARTICIPATION IN THE DEVELOPMENT OF 11 REGULATORY ACTS, IN PARTICULAR:

- Draft Law of Ukraine "On the State Address Register of Ukraine"
- Changes to the procedure for exchanging information between central executive bodies, attestation commissions in the process of conducting independent monitoring (approved by the Resolution of the Cabinet of Ministers of Ukraine #602 26.07.2018)
- Draft Order of the Ministry of Development of Communities and Territories of Ukraine "On Amendments to the Order of the Ministry of Regional Development, Construction and Housing of Ukraine #204 15.08.2017" (criteria to be met by expert organizations examining construction projects)
- Proposals / comments to 24 normative legal acts are provided

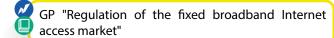
Next year, together with partners, we will continue to work on the introduction of BIM-technologies in Ukraine, legal framework preparation for the full implementation of the e-system in construction in December 2021, creation of new components, such as an address register, a register of buildings and a register of administrative-territorial units, in the e-system, as well as the creation of a legislative basis for guaranteeing property rights to real estate objects that will be built in the future.



Taisiia Baryngolts Construction Sector Head

IT&TELECOM

1. Telecommunications



Due to deregulation, the market of mobile financial services has been opened



Analysis for the EU mission to assess the Ukrainian digital market (implementation of the Agreement in terms of e-communications in Ukraine)

Law "On Electronic Communications" (registration #3014)

- Provides a framework for comprehensive reform in the telecommunications sector, provides consumer protection, transparent rules for telecom operators, and integration into EU legislation and the digital single market, in particular:
- prevents spam in SMS
- simplifies the procedure for protecting the subscribers' rights
- allows to get only one service not included in the package
- sets clear speed limits on the Internet you pay for
- □ increases a fine for violating your rights significantly
- introduces technology neutrality, online interaction with the regulator, the possibility of transferring rights to use the radio frequency spectrum

Bringing bylaws in line with the new law

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2. Improvement of the radio frequency resource use efficiency

GP "How to use a radio-frequency resource to ensure quality communication in Ukraine?"

Law of Ukraine (registration #466-IX 16.01.2020)

Until recently, rental rates for the same radio-frequency resource (RFR) ranges differed by 65 times in Ukraine. The amendments provide for an increase in the rental rate. According to BRDO calculations, this will increase state budget revenues by UAH 236.3 million in 2021.

Reforming the 900 MHz frequency band to run 4G

- Previously, the 900 MHz band was fragmented and a large proportion of it was concentrated in one of the telecommunications operators. This hindered the 4G development in Ukraine.
- ▶ The need for 900 MHz frequency band redistribution was analyzed in detail by BRDO experts in the research of the RFR market regulation. In July 2019, the President approved an action plan for the introduction of quality mobile communications. A working group consisting of representatives of the NCCIR, BRDO, leading mobile operators, professional associations, and government authorities was established to implement the action plan.
- ▶ In February 2020, the NCCIR granted Vodafone Ukraine, Kyivstar, and Lifecell a permit for the early introduction of 4G technology in the 900 MHz band. The fee for reissuing licenses will bring about 850 million hryvnias to the budget.
- As a result, 1.7 million subscribers gained access to the mobile Internet for the first time (as of November 2020).

Radiation limits for base stations of mobile operators have been increased

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3. The simplified attraction of foreign IT specialists



GP "Software Market"

Resolution of the Cabinet of Ministers of Ukraine "Amendments to the Procedure for processing, issuance, exchange, cancelling, forwarding, withdrawal, return to the state, invalidating and abolishing of the temporary residence permit"

 Citizens of Belarus, Azerbaijan, Armenia, Moldova, and Uzbekistan no longer need to leave Ukraine to cross the border to obtain a temporary residence permit (this also applies to IT specialists).

Amendments to the Order of the Ministry of Economic Development and Trade simplifying the immigration procedure for foreign specialists wishing to work in Ukraine #283 19.03.2020

▶ The approved amendments envisage the following: expanding the list of occupations, reducing the requirements for work experience, establishing mandatory and additional qualification requirements, grouping occupations by categories, determining quotas not for each occupation, but occupation categories.

Clarifications of the State Tax Service regarding the possibility of foreign citizens registered as a private entrepreneur (PE) to be a single taxpayer

▶ From now on, foreign IT specialists who decide to immigrate to Ukraine under quotas will be able to legally work as private group III entrepreneurs and belong to single taxpayers while waiting for an immigration permit and a permanent residence card.

Changing the procedure for determining immigration quotas

Simplification of the process of highly qualified specialists immigration

Cancelation of long-term visas as a requirement for obtaining a residence permit

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4. Communications regulator

2021 2020

Analysis for the EU mission to assess the Ukrainian digital market (implementation of the Agreement in terms of e-communications in Ukraine)

Participation in the finalization of the draft law on the communications regulator (registration #4066)

Draft Law on the Communications Regulator (NCCIR)

5. Protection of subscribers from imposed content services

Analysis of cases of violation of subscribers' rights

Campaign for the protection of subscribers' rights

Draft Resolution of the Cabinet of Ministers of Ukraine "On Amendments to the Rules for the Provision and Receiving of Telecommunications Services"

Advocacy for the adoption of the resolution

6. Protection of the private entrepreneurship (PE) model in creative industries (reduced risks when working with private entrepreneurs)

2017 2018 2018 2018 2020 2020 2021

GP "Software Market"

Analytics "Development of the Ukrainian IT industry: analytical report" together with the IT Ukraine Association

Draft clarifications of the State Tax Service, the State Labor Service

Advocacy of elimination of risks when working with private entrepreneurs in creative industries

20 IT&TFL FCOM Analytical Report On Compliance of Ukrainian Legislation with European Open Data *

* USAID / UK aid project "Transparency and Accountability in Public Administration and Services / TAPAS".



Study: Open data impact on the urban planning sector (the impact of using SACI's open data on solving social problems in Ukraine) *

* USAID/UK aid project "Transparency and Accountability in Public Administration and Services/TAPAS" and with the assistance of the Ministry of Digital Transformation.

Draft amendments to the Law "On Access to Public Information" (registration #2939-VI 2011

Updated draft Resolution of the Cabinet of Ministers of Ukraine on open data in Ukraine (registration #835) (became the basis for the draft resolution of the Ministry of Digital Transformation)

Campaign for making financial statements public

▶ Ukrainian legislation obliges data holders (the State Tax Service, the State Statistics Service, and the Ministry of Justice of Ukraine) to publish and regularly update financial statements of companies in the format of open data on the data.gov.ua portal. The Better Regulation Delivery Office, together with the Ministry of Justice, colleagues from Youcontrol, Transparency International Ukraine, OpenUp and Clarity Project, has agreed to establish a joint working group to develop solutions that will help make the companies' financial statements public.

Campaign for making transport data public

Participation in the finalization of the draft resolution (registration #835)

Participation in the Working Group to make amendments to the Law "On Access to Public Information" (registration #2939-VI)

The telecommunications law reform is necessary both for market development and for Ukraine to fulfill its obligations under the Association Agreement. Therefore, this aspect will continue to be a priority.



TRANSPORT AND INFRASTRUCTURE

1 Taxi market reform

GP "Taxi Services Market"

Memorandum of Cooperation with the Association of Responsible Carriers

Draft Law on the taxi market

In Ukraine, the annual taxi market value is about UAH 40 billion, but 96% of the market is still informal. The draft laws developed by the Ministry of Infrastructure together with BRDO experts and the Association of Responsible Carriers provide for simple and clear rules to enter the market: cancelation of licenses for the internal carriage of passengers, registration of legal entities by operators, a declarative principle of economic activities and annual patents, creation of taxi/carriers registers upon request and registers of providers of information services for carriage/taxi activities, compulsory insurance for passengers against traffic accidents and some other important provisions.

Advocacy for the draft law on the taxi market

- Creation of public registers (website of the State Service for Transport Safety (SSTS) of:
- carriers at the request and/or taxi services
- providers of information services for transportation by taxi or at request

2. Road quality management

GP "Road Construction and Repair Market"

A number of laws (Nº 77-IX 12.09.2019, #200-IX 17.10.2019 and # 283-IX 12.11.2019) have been passed to introduce the medium-term planning for the development and maintenance of roads as well as the road safety audit

The procedure for conducting road safety audits approved by the order of the Ministry of Infrastructure of Ukraine

Draft Order of the Ministry of Infrastructure of Ukraine "On approval of the Procedure for road safety audits"

Preparation of regulatory acts on the road quality management system, roadside infrastructure, technical supervision, certification, etc.

GP "On the road quality management system"

3. Transport regulator 2021 Finalization of the draft law on the regulator Analysis of relevant laws Draft Law on the Transport Regulator The National Commission for State Regulation of Transport (NCRT) has been established for 20 years. The BRDO team developed an alternative draft law addressing the shortcomings of draft law #3927 in terms of unconstitutionality and inconsistency with European obligations and providing for more quarantees for the sustainable and uninterrupted operation of the independent and professional NCRT. 4. Inland water transportation GP "Inland waterways freight transportation" The resolution (registration #357 1993) that obliged Monitoring cargo owners to coordinate the transportation volume with railways, sea, and river ports one month before the operation was repealed (registration #468) The decision will simplify doing business for cargo owners by reducing operating costs (to prepare applications, coordinate with administrations) and waiting time for approval of monthly transportation plans. The average savings for all economic entities will be UAH 1,608,008 per year. 5. International freight transportation 2020 **>>** 2021 GP "International Freight Road Transportation Market" Monitoring Recommendations to the draft order of the Ministry of Infrastructure that regulates the issuance of permits (registration #757)

6. Reform of Ukrzaliznytsia: the first step towards unbundling

Resolution of the Cabinet of Ministers of Ukraine "On implementation of a Pilot project regarding the admission of private locomotives to operation of separate routes on public railway tracks" (registration #1043 4.12.2019)

with the FU

Order of the Ministry of Infrastructure "On approval of the Provisional Regulations on the Procedure for admission of private locomotives to operation of separate routes on public railway tracks" (registration #191 04.03.2020) (registered as #278/34561 16.03.2020 in the Ministry of Justice of Ukraine)

GP on railway freight transportation



Monitoring of experimental project implementation

Analysis of relevant laws and provisions of the Association Agreement

A draft contract on admission of private locomotives to operation of separate routes on public railway tracks that will be concluded between the JSC "Ukrzaliznytsia" and pilot project participants according to the Provisional Regulations on the Procedure for Admission of Private Locomotives to Operation of Separate Routes on Public Railway Tracks approved by the Order of the Ministry of Infrastructure (registration #191 04.03.2020), registered as #278/34561 16.03.2020 in the Ministry of Justice of Ukraine

The contract establishes the procedure and conditions to form a schedule of operations, the procedure, and conditions of distribution of responsibilities, the procedure of financial settlements between the parties, a list of all, departmental instructions and documents necessary to ensure the rail traffic safety and continuity of technological transportation process, etc.

The first contract was signed within the pilot project

The key challenge for the JSC "Ukrzaliznytsia" is the critical deterioration of fixed assets: tracks, locomotives, and other rolling stock. About a third of the main railway lines require major repairs. In some areas, the speed limit reaches 40 km/h affecting the delivery time and creating financial risks for businesses. Due to this policy, the joint-stock company's revenues will continue to fall by 20-30% annually.

To solve this problem, it is necessary to delegate the powers from the company's board to standalone subdivisions, in which the production process takes place.

Another important decision should be the unbundling, i.e. the division of Ukrzaliznytsia into separate operators: cargo, passenger, and infrastructure operators). First, it is necessary to create separate legal entities responsible for handling wagons (such an opportunity is already provided by law) with further progress thereafter. Only the infrastructure will remain fully nationally owned, while market conditions will be created for other operators and it will be possible to attract private investors.

The admission of private locomotives to public railway tracks will provide an opportunity to make significant progress in addressing 2 important issues: 1) adoption of the Law of Ukraine on Railway Transport and 2) partial compensation of the Ukrzaliznytsia's locomotive traction deficit. In early December, a contract was concluded with the first of the experiment participants that will operate private locomotives at once on 9 railways sections in western Ukraine.

The strategic plans of our sector for 2021 include the adoption of laws on the taxi market, progress in railway reform, in particular regarding equal access to infrastructure, the creation of an open and competitive rail transportation market, and the establishment of a professional independent transport regulator. Also, together with Ukravtodor, we plan to create and implement a road quality management system and develop the roadside infrastructure.



Zova Melnyk **Acting Head of** the Transport and Infrastructure Sector

ENERGY: REFORMS AND CHALLENGES

1. Connection to networks reform

2017

GP "Retail electricity market"

WP "Retail electricity market regulation. The main directions of optimization"

GP "Systematic review of the quality of state regulation of the retail natural gas market"

2020

GP "Regulation of connection to engineering networks"

2021

Law "On amendments to certain legislative acts of Ukraine concerning simplification of connection to electric networks"

- The goal is to simplify the mechanism of connecting the customer's facilities to the grid through:
- introduction of a "single window" mechanism for the submission and approval of documentation for the design of electrical networks;
- land issues settlement related to the allocation of land for the location of energy infrastructure;
- simplification of the establishment of land easement on land plots of state and communal property;
- the possibility of building linear energy infrastructure facilities on state and communal lands without the need to divert them;
- cancellation of a certain amount of additional limitations.



Law "On strengthening control over compliance with the legislation on connection to engineering networks"

- ▶ The goal is to create a tool for customers protection from violations while connecting to engineering networks by:
- electronic portal of complaints creation, aimed at fixating actions of engineering network operators;
- creation of objective bases of penalties formation for operators' of engineering networks offenses;
- granting powers to the State Agency for Energy Efficiency to consider offenses;
- determine types of offenses that will be recorded by the State Energy Supervision Inspection of Ukraine and the size of fines for their commission in the field of electricity;
- determenine types of offenses in the field of water supply and sewerage as well as reasonable amounts of fines for their commission;
- actualization of the size of penalties in the field of heat supply.



Draft Law of Ukraine "On Amendments to Certain Laws of Ukraine on Settlement of Certain Issues of Connection to Engineering Networks"

- The goal is to simplify the connection of new construction objects to the engineering networks, to create a legal basis for the effective management of engineering networks. The draft law provides:
- unification of the procedure of connection to different engineering networks and determination of the connection fee:
- solving the issue of "ownerless" engineering networks;
- arrangement of protection zones of engineering networks;
- inventory of engineering networks;
- abandonment of technical conditions as initial data for design, instead of design should be carried out on the basis of open data.



Law "On amendments to certain legislative acts concerning certain issues of accession to gas transmission or gas distribution system"

- The purpose of the law is to simplify the mechanism of connecting the customer's facilities to the gas transmission or gas distribution system. The project provides:
 - abolition of the mandatory division of standard and non-standard connections;
 - new approach to determining the connection fee based on capacity and distance to the place of power supply;
 - connections to gas distribution networks are performed exclusively by their operator;
 - introduction of connection services by operators of electronic services, providing the possibility of document circulation between the customer and the operator.

2. Biomotor fuel market reform

GP "Regulation of production of liquid motor biofuels"

GP "Regulation of the motor fuels market"

Law "On amendments to certain legislative acts of Ukraine on stimulating the use of liquid biofuels (biocomponents) in the transport industry"

- The goal is to create a legal framework for the development of production, circulation and use of liquid biofuels (biocomponents) and biogas in the transport sector. The project provides:
- mandatory share of liquid biofuel determination in the total volume of its sale for business entities selling motor fuel, as well as liability in case of non-compliance;
- establishing a schedule for increasing the share of biofuels in the total volume of liquid motor fuels;
- introduction of application of sustainability criteria for motor biofuels;
- introduction of control of the content of liquid biofuel
- (biocomponents) in motor fuel.

KEY CHALLENGES IN THE SECTOR - 2021:

Problems of the Ukrainian coal industry and its restructuring/reduction

The problem of the electricity market in terms of the fiscal imbalance due to increasing the share of electricity from alternative ("green") sources Adequate implementation of incentive tariffs for infrastructure regulators (RAB tariffs), in particular for distribution system operators (DSOs)

Gas market problems, market power in the gas market, the use of external price indicators as ISO (imposition of special obligations on natural gas suppliers) is canceled

Problems of the electricity market in terms of the market fiscal imbalance, problems with auctions under direct contracts, abuse and putting out of nuclear generation from the day-ahead market to the intraday market, the need for REMIT implementation

Problems of integration in ENTSO-E and ENTSO-G

Compliance of Ukrainian policy with the European Green Deal agreement, lack of a strategy to respond to changes in the new European Green Deal policy and the introduction of environmental quotas on Ukrainian goods

Waste management industry organization and introduction of the waste management hierarchy in Ukraine Efficient subsoil use, fight against inactive licenses, improvement of a PSA (production sharing agreement) tool, transparency in extractive industries

Tariff policy



3 REGULATORY ACTS WERE DEVELOPED:

The Resolution On Amendments to the Resolution of the Cabinet of Ministers of Ukraine "Issues of Geological Information Management" (registration #939 07/11/2018)

WAS ADOPTED

Draft Law "On stimulating the use of liquid biofuels (biocomponents) in the transport sector"

Draft Law on amendments to the Law of Ukraine "On the Electricity Market" regarding the functioning of the balancing electricity market Draft Resolution of the Cabinet of Ministers of Ukraine on amendments to some resolutions of the Cabinet of Ministers of Ukraine regarding improving the provision of housing subsidies



RESEARCH PROJECTS:

White Paper "Stimulation of energy efficiency and climate protection in the industry"

Some proposals were developed in the form of a Map of further actions of the authorities aimed, inter alia, at updating the legal framework in this area and bringing the Ukrainian legislation into line with the EU law Green Paper "Coal Market"

There were developed proposals to change the state policy in the coal-mining industry, which include, in particular, the assets privatization of state-owned coal enterprises, the tax preferences cancelation, the inefficient mines elimination

It was proposed to develop a Concept of decarburization of the Ukrainian economy that will set long-term targets for reducing coal consumption to achieve the low-carbon development goals.

In 2021, we will work on further changes in a number of legislative acts to simplify the procedure for connection to engineering networks, as well as the introduction of a market for motor biofuels. In addition, we will return to the agenda the issue of effectively stimulating regulation and decarbonization of the economy within the framework of the Green Deal strategy.



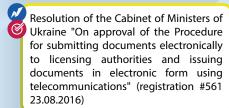
Anton Zorkin Energy Sector Head

CONTROL AND SUPERVISION

1. Digitization and simplification of business activities subject to licensing

2016

Methodological recommendations for the development of licensing conditions for types of economic activities subject to licensing in accordance with the Law of Ukraine "On Licensing Types of Economic Activities" sent by the State Regulatory Service to the licensing authorities for use during the preparation of licensing conditions



24 draft resolutions of the Cabinet of Ministers of Ukraine provided for the approval of licensing conditions for certain economic activity types were analyzed. 9 resolutions of the Cabinet of Ministers of Ukraine on approval of licensing conditions were adopted.

2017

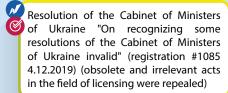


WP "Licensing as a tool to restrict access to markets"

.....>>-----> 2019 ------------> 2020 ------------

Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Regarding the Improvement of the Procedure for Licensing Economic Activities" (registration #139-IX 2.10.2019)

Improving the licensing principles and procedures already introduced by the state to clearly define them, eliminating legal conflicts, and preventing violations of the rights of business entities. Reducing financial costs for license applicants and licensees.



2018

Order of the Cabinet of Ministers of Ukraine "On cancelation of certain acts of ministries and other central executive bodies" (registration #505-r 18.07.2018)

Regulatory acts of ministries and other central executive bodies recognized inconsistent with the Law of Ukraine "On Licensing Types of Economic Activities" were repealed.

GP "Analysis of market access tools"

Participation in the development of the draft Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on Mitigation of Business Conditions in the Post-Quarantine Period"# 3753 registered in the Verkhovna Rada of Ukraine on 26.06.2020

▶ Designed to ensure the automatic renewal of licenses, permits and results of the provision of administrative and other services during the quarantine and after its extension, that allows not to apply rule on suspension and revocation of the license for retail sale of alcoholic beverages during the quarantine and after its expiration in case of late payment by licensees of the next license fee.

Draft Resolution of the Cabinet of Ministers of Ukraine "On organization of a pilot project for the implementation of the first stage of the Unified State Electronic System permits"

▶ Digitization of the most popular top-10 licenses, payment for online licensing services, full cycle of online license administration: provision of administrative services in the field of licensing (issuance, suspension, renewal of license, cancellation, etc.), submission of reports on the implementation of licenses conditions, complaints about the actions of licensing authorities, obtaining information about inspections, generating license cases, etc.

Draft Resolution of the Cabinet of Ministers of Ukraine "On amendments to the resolutions of the Cabinet of Ministers of Ukraine #1174 16.11.2011 and #285 2.03.2016"

▶ Reducing the administrative burden on health care institutions through the abolition of redundant licensing activities for the use of X-ray diagnostic equipment.

Advocacy for digitization of licensing system and permitting system

2021

Simplification of conducting business activities that are subject to licensing

Advocacy to reduce the administrative burden on institutions health care through the abolition of redundant licensing activities for the use of X-ray diagnostic equipment

CONTROL AND SUPERVISION

2. Development of a unified permitting system

GP "Restriction of access to markets"

WP "Licensing as a tool to restrict access to markets"

The methodology of the appropriateness of state regulation tools

GP "Analysis of market access tools"

Participation in the development of the draft Law of Ukraine "On Amendments to the Legislative Acts of Ukraine on the Permitting System in the Sphere of Economic Activity and Facilitation of Access to Markets" #4219 registered in the Verkhovna Rada of Ukraine 15.10.2020

Establishes transparent and clear rules for issuing permits, repeals five permits, two licenses, and two other types of economic activity translates to the applicant principle implementation, reducing the administrative burden on business.

Order of the Cabinet of Ministers of Ukraine on the repeal of 36 regulatory acts based on the results of the "conclusion" tool analysis

Draft Law "On the Simplification of Doing Business in the Post-Quarantine Period" # 3753 (registered in the Parliament)

Development of a unified permitting system

▶ Establishing a unified approach that would regulate the integrated (comprehensive) approval system and its tools at the legislative level (the state considers the approval system tools not as separate regulatory mechanisms isolated from each other, but as a single system, in which each tool has its reason, function, clear application criteria, and a unified procedure for obtaining it. Taken together, all regulatory tools of the integrated approval system should be aimed at achieving the objectives of state regulation using the least costly methods for business entities and the state).

3. E-entrepreneurship

WP "Licensing as a tool to restrict access to markets"

GP "Analysis of market access tools"

Draft Resolution of the Cabinet of Ministers of Ukraine "On the implementation of a pilot project to simplify the conditions for starting and conducting business

Draft Resolution of the Cabinet of Ministers of Ukraine "On Amendments to the Regulations on the Unified State Web Portal of Electronic Services"

The possibility of providing the subjects of the application of complex services on Diia state portal. Advocacy to simplify the start-up and operation of entrepreneurs, by introducing the ability to receive comprehensive services in the field of entrepreneurship on the Diia portal

Receiving a comprehensive service — a package of services.

4. "Private" space activities

GP "Restriction of access to markets"

The Law of Ukraine "On Amendments to Certain Laws of Ukraine on State Regulation of Space Activities" #143-IX 2.10.2019 Resolution of the Cabinet of Ministers of Ukraine #197 26.02.2020 "On Approval of the Procedure for Issuance (Refusal to Issue, Revocation) of Permits for Certain Types of Space Activities" (participation in project development and ARV preparation)

Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for Submitting a Declaration on Conducting Economic Activity in the Sphere of Space Activity" #198 26.02.2020 (participation in project development and ARV preparation)

Monitoring the implementation of changes provided by the Law of Ukraine "On Amendments to Certain Laws of Ukraine on State Regulation of Space Activities" #143-IX 2.10.2019

5. Reform of the fishing industry of Ukraine

GP "Analysis of access to a shared limited resource"

Resolution of the Cabinet of Ministers of Ukraine "On the implementation of a pilot project to introduce the procedure for artificial breeding, cultivation of aquatic bioresources and their use in special commercial fisheries and auctions for the sale of fisheries operation of the water body through electronic bidding" #1138 23.10.2019

Resolution of the Cabinet of Ministers of Ukraine "On the implementation of a pilot project to introduce auctions for the sale of contracts for the right to special use of aquatic bioresources in fishery bodies (parts thereof) by electronic bidding" #1139 23.10.2019

GP "Analysis of the Fish Industry in Ukraine"

Resolution of the Cabinet of Ministers of Ukraine "On Amendments to the Resolution of the Cabinet of Ministers of Ukraine #963 28.07.2004" #93 12.02.2020

Improving the system of remote control of fishing vessels, the initiative will primarily protect bona fide fishermen suffering from unfair competition from poachers who hide the amount of fish caught.

Resolution of the Cabinet of Ministers of Ukraine "On approval of the Procedure for charging for the special use of aquatic bioresources and the amount of payment for their use" #125 12.02.2020

▶ The fee for the special use of aquatic bioresources has not been revised in the last 10 years. The initiative has provided for a revision of the fee to take into account the inflation over 10 years and increase it 3.4 times.

Development and advocacy of the adoption of the Code of Responsible Fisheries

 Participation in the working group of the Ministry of Environmental Protection and Natural Resources of Ukraine on project development Code of Responsible Fisheries.

Bylaws to facilitate business aquaculture activities

6. Natural reserve management reform

Analysis of legislation in the field of Nature Reserve Fund (NRF) regulation

Order of the Ministry of Environmental Protection and Natural Resources of Ukraine "On Amendments to the Instruction on the application of the procedure for setting limits on the use of natural resources within the territories and objects of nature reserves of national importance" #15 06.08.2020

▶ The main goal is to introduce a new procedure for setting limits on the use of natural resources within the territory and objects of the NPF in order to prevent the depletion of natural resources.

7. Reform of special water use and works on water fund lands

GP "Analysis of special water use and works on water fund lands"



Advocacy for simplifying the procedure for obtaining the right to special water use

Participation in the development of the draft Law of Ukraine "On Amendments to the Legislative Acts of Ukraine on the Permitting System in the Sphere of Economic Activity and Facilitation of Access to Markets" #4219 registered in the Verkhovna Rada of Ukraine on 15.10.2020

8. Simplification of economic activity for producers of fermented alcoholic beverages (including reform of small beer producers)

8

GP "Restriction of access to markets"

Draft Law on simplification of economic activity in the production of beer, grape wines, fruit wines, and honey beverages

- Draft Law of Ukraine "On Amendments to Article 215 of the Tax Code of Ukraine on Setting Reduced Excise Tax Rates on Alcoholic Beverages (Beer) for Small Beer Producers"
 - ▶ Differentiation of excise duty rates on beer between breweries with an annual beer production of more than 200,000 hectoliters, and small beer producers with a production volume of up to 200,000 hectoliters per year, by reducing excise tax rates for such producers by 50%.

9. Ensuring balanced and effective government decisions

16 RIAs

16

SME-Tests

2 trainings

s consultations

which ensured the adoption of 5 regulations in 2020 (others to be approved by the central executive bodies)

Advocacy for draft laws

Publication of the Green Paper «Analysis of the market of fermented alcoholic beverages»

The further systematic work to make e-licensing systems and e-entrepreneurship a reality this year is among the priorities of our sector. Our special focus is to develop and implement an EcoDiia platform



Improvement of the procedure for obtaining the right to special use of water.

CROSS-SECTORAL INITIATIVES

DEVELOPMENT OF A SINGLE ENVIRONMENTAL PLATFORM "ECODIIA"



GP "Analysis of access to a shared limited resource"

A concept of state policy for creating the ECO Platform for natural resources management

Development and implementation of provisions for the legal basis of the EcoDiia platform

Development and adoption of the Concept of reforming the field of joint limited (natural) resources of Ukraine, digitalization of administrative services of the Ministry of Environment and subordinate central executive bodies

Digitization of administrative services of the Ministry of Ecology and subordinate central executive bodies (CEBs)

The creation of the environmental platform will ensure transparent and equal access to natural resources by making information on such resources public to reduce corruption in the sector, as well as ensure the management of natural resources through electronic licensing and reaulatory functions.

THE PLATFORM WILL CONSIST OF **7** ACTIVE BLOCKS:

Open access to up-to-date information on natural resources. A public electronic map will contain information about available natural resources and show the status of their use. It will contain public registers in each area: ee-Waste, e-Fish module, e-Pesticides module, e-Air module and its monitoring, e-Subsoil module, e-Forest module, e-Hunter module, e-Water module.

Electronic services. The user's e-cabinet will allow business entities to select an object to use on the electronic map and apply for a permit or participate in an auction for the right to use a shared limited resource. Moreover, users will be able to monitor the entire process of obtaining the right to use a shared limited resource by stages online.

Electronic traceability of origin and sales of products. It will significantly reduce the shadow market of natural resources by providing transparency and traceability of their origin.

As for the economic effect, the introduction of electronic traceability of just aquatic bioresources by origin will reduce the annual losses of the state from illegal fisheries by at least UAH 839 million and the losses from the illegal trade of aquaculture aquatic bioresources by UAH 250 million.

Electronic reporting. It will be possible to submit mandatory reporting for each natural management sector electronically, 24/7, without personal contact with officials.

By the way, the introduction of electronic services just in obtaining the right to industrial catch of aquatic bioresources will save more than UAH 107 thousand for business annually. In turn, electronic reporting will reduce the annual expenses of business entities in fisheries by UAH 226 thousand and by a record UAH 905 thousand in the water management sector!

Environmental monitoring. It provides for the operation of an automated system of access to environmental information that will allow constant access to up-to-date information on the state of the environment and create prerequisites for the prompt response of the State Environmental Inspectorate to environmental threats.

Environmental inspections. It will ensure transparent, accountable, and predictable activities of the State Environmental Inspectorate.

Feedback. It will provide the possibility of prompt communication with responsible resource management agencies.

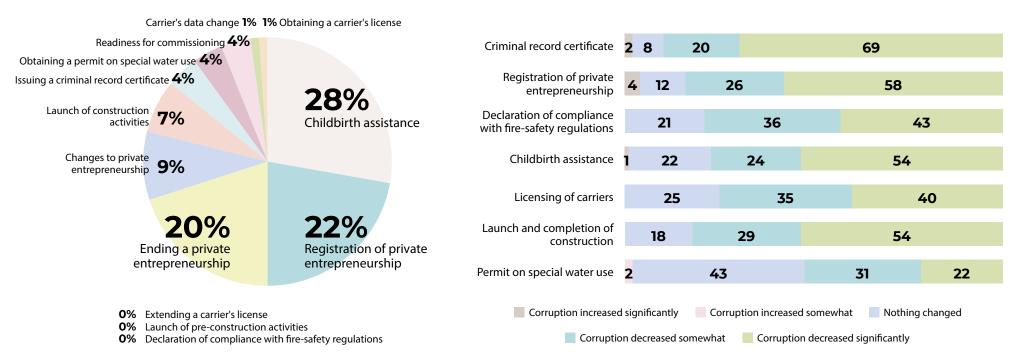
"THE ANTI-CORRUPTION AND ECONOMIC POTENTIAL OF E-SERVICES" RESEARCH

This analysis is the first attempt to conduct a comprehensive evaluation of the economic and anti-corruption effects of introducing electronic public services in Ukraine using the example of seven sectors.

The study's objective is to show how much time and money users have already saved and could save in the long run by being able to receive services without visiting government agencies and without the involvement of intermediary service providers/officials, as well as what impact the online format of services may have on corruption.

Distribution of the economic effect between services

Anti-corruption dynamics, %

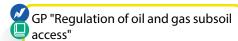


Source: The Report "Anti-corruption and economic potential of e-services" prepared by the Better Regulation Delivery Office (BRDO) at the request of the Ministry of Digital Transformation of Ukraine and with the support of the USAID/UK aid Transparency and Accountability in Public Administration and Services (TAPAS) project, the Ukrainian-Swiss E-Governance for Accountability and Participation (EGAP) Program and the East Europe Foundation (September 2020)

^{*} The report was prepared by the Better Regulation Delivery Office (BRDO) at the request of the Ministry of Digital Transformation of Ukraine and with the support of the USAID/UK aid Transparency and Accountability in Public Administration and Services (TAPAS) project, the Ukrainian-Swiss E-Governance for Accountability and Participation (EGAP) Program and the East Europe Foundation.

SUBSOIL USE REFORM

GP "Restrictions of access to markets"



GP "Analysis of Access to Shared

Resolution of the Cabinet of Ministers of Ukraine "Issues of geological information management" (registration 939 07.11.2018)

Subsoil use reform has long been on the agenda of the state. Current legislation regulating the subsoil sector does not meet market challenges. This year, we will make every effort to ensure that the common subsoil resource is used under the new, transparent rules.



Volodymyr Holovatenko Senior Policy Adviser, EU Project "New Subsoil Code of Ukraine" Resolution of the Cabinet of Ministers of Ukraine "On amendments to the Temporary Procedure for implementation of an experimental project on the introduction of auctions for the sale of special subsoil use permits through electronic auctions" (registration #63 05.02.2020)

Resolution of the Cabinet of Ministers of Ukraine "On amendments to the Procedure for issuing special subsoil use permits" (registration #124 19.02.2020)

Order of the Ministry of Ecology and Natural Resources of Ukraine "On approval of the Regulations on the catalog of geological information" (registration #119 04.09.2020)

Resolution of the Cabinet of Ministers of Ukraine "On amendments to the Methodology for determining the initial sale price of special subsoil use permits at auctions" (registration #915 23.09.2020)

Draft Subsoil Code

Amendments to regulations and adoption of new ones for the implementation of the new draft Subsoil Code, including on the functioning of the catalog of information on geological information and the electronic cabinet of the subsoil user

#STARTBUSINESSCHALLENGE





+11 in 2020

182 business cases

+6 in 2020

36 cities

trainings for entrepreneurs

- Cluster "Business during quarantine" 55 instructions containing state quarantine requirements and international recommendations
- Case "Hiring employees officially" in cooperation with the State Labor Service
- Top business decisions in the European Commission's ranking in 2019
- National winner and shortlist finalist of the European Enterprise Promotion Award 2020 in the category "Improving the business environment"
- Integration with the state Diia.Biznes platform

In 2021, we plan to update the already developed step-by-step online instructions, as well as create instructions for 10 new activities. In the direction of localization, we want to connect the #StartBusinessChallenge with 8 more regional centers, so that by the end of 2021 the service was available in all regional centers of Ukraine.



PROTECTION OF CONSUMERS' RIGHTS

2019 2021

Association Agreement. Relevant EU regulations and directives on consumers' rights protection and the Agreement were analyzed

Concept of consumers' rights protection until 2020

Draft Law "On Consumers' Rights Protection"

A new concept of state policy on consumers' rights protection until 2023

Acts of the Cabinet of Ministers of Ukraine, orders of the Ministry of Economic Development and Trade, which are provided for by this Law (drafted after it entered into force)

Concept Action Plan

REGIONAL DOING BUSINESS — 2020

RDB.BRDO.COM.UA

RATING METHODOLOGY

Regional Doing Business study is adapted on the World Bank methodology.

The rating assesses six areas of interaction between entrepreneurs with local authorities, namely:



Starting a business



Registration of the land plot



Obtaining building permits



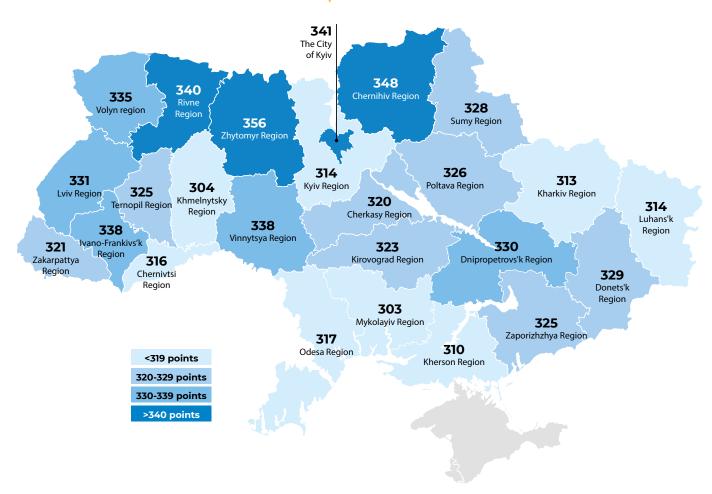
Payment of local taxes



Connecting to the grid



Electronic services



The results of the rating are based on data from 1,754 questionnaires of respondents from the private sector of 24 regional centers of Ukraine and the city of Kyiv.

The main evaluation criteria under each component were "money" and "time" spent on formal procedures, as well as the number of "visits" to state / local authorities.

The overall rating is measured by the sum of points scored by the regional center in each of the six components. The maximum number of points that each regional center can score in each component is 100 points. The total maximum number of points is 600.

CROSS-SECTORAL INITIATIVES 38

INSPECTION REFORM

THE PILOT INSPECTION POR-TAX-RELATED TAL IN PARTNER-ENTREPRE-SECTION OF SHIP WITH THE NEUR'S AS-THE ENTRE-**AUDIT OF ALL STATE REGULA-**PRENEUR'S **FORMS OF DEVELOPMENT** SISTANT AT **TORY SERVICE ANEW LAUNCH OF THE** INSPECTIONS. **ASSISTANT IN REPORTING OF** AND FILLING OF (CONTAINED **METHODOLOGY INSPECTION GOV.UA WITH COOPERATION DANGEROUS** THE ELECTRONIC **ONLY AN INTE-FOR RISK PORTAL'S** THE SUPPORT OF **WITH VASYL EVENTS AND** RISK **GRATED PLAN OF CRITERIA AND ANALYTICAL** THE USAID CEU **KISIL&PARTNERS NEGATIVE MANAGEMENT** INSPECTIONS) **FORMS OF ACTS MODULE PROGRAM** LAW FIRM **CONSEQUENCES SYSTEM** October September March September December September December **January January** June **January** June April June 2018 2018 2020 2020 2017 2017 2019 2019 2020 2020 2021 2021 2021 2021 LAUNCHING **AMENDMENTS** 100,000 **BRDO TOGETHER DRAFT LAW ADOPTION OF DEVELOPMENT** TO THE LAW ON AN UPDATED INSPECTION WITHTHE "ON BASIC A NEW VERSION OF A **CONTROL** — THE **VERSION OF RESULTS ON THE MINISTRY OF PRINCIPLES** OF THE LAW ON **METHODOLOGY** THE PORTAL. INSPECTION INSPECTION **ECONOMIC** OF STATE CONTROL FOR ASSESSING **SUPERVISION PORTAL ENTERING** PORTAL **DEVELOPMENT** THE STATE INTRODUCTION INSPECTION **LAUNCHED THE** (CONTROL)" **SUPERVISION RESULTS INTO DRAFTING OF A DEVELOPED** (CONTROL) **THE SYSTEM NEW VERSION TOGETHER WITH EFFECTIVENESS** OF THE LAW OF THE MINISTRY **UKRAINE ON OF ECONOMIC** CONTROL **DEVELOPMENT** AND THE STATE REGULATORY **SERVICE WAS PUBLISHED FOR PUBLIC** DISCUSSION

1. Inspection reform – transparency

Amendments to the law on control — the Inspection Portal introduction

Launching an updated version of the portal. Entering inspection results into the system

Adoption of a new version of the law on control

Audit of all forms of reporting of dangerous events and negative consequences

Development of a Methodology for assessing the state supervision (control) effectiveness

Development and filling of the Electronic risk management system

▶ BRDO participated in the preparation of changes that introduced a risk-based approach, ensured transparency through the Inspection Portal, and the improved protection of business interests.

The pilot Inspection Portal in partnership with the State Regulatory Service (contained only an integrated plan of inspections)

2. Inspection reform - reframing

2018

- 🗸 A new methodology for risk criteria and forms of acts
- Training of regulatory authorities STUDY.BRDO.COM.UA
- Launch of the Inspection Portal's analytical module

Improvement of the Inspection Portal. Full functionality of the portal

BRDO, with the support of the TAPAS project, completed the development of a full version of the Inspection Portal, the open API, and the Analytical Module.

2019

3. Inspection reform – legislative amendments and instruments for business

2020

- With the support of the USAID Competitive Economy of Ukraine (USAID CEU) program, BRDO together with the Ministry of Economic Development launched the drafting of a new version of the Law of Ukraine on Control
- Draft Law "On Basic Principles of State Supervision (Control)" developed together with the Ministry of Economic Development and the State Regulatory Service was published for public discussion
 - ▶ Increased transparency of inspections, reduced burden on scrupulous business owners, and improved process of appealing against illegal actions of inspectors.
- Functions for public coverage of preventive and informational work of state inspectors
- Entrepreneur's Assistant at INSPECTIONS.GOV.UA with the support of the USAID CEU program
 - Every business owner can learn about future inspections, prepare and be successfully inspected, as well as learn how and where to complain in case of violations by inspectors.
- Tax-related section of the Entrepreneur's Assistant in cooperation with Vasyl Kisil&Partners law firm
 - Will allow users to get detailed instructions on what to do before, during and after-tax inspections, help to properly file an application or complaint, as well as learn more about special aspects of the tax law in Ukraine.

INSPECTIONS.GOV.UA PORTAL



regulatory authorities (CEBs)

almost 10,000

civil servants use the portal in their work every day

1.5 million

active users

> 260,000 scheduled inspections

> 230 000

unscheduled inspections

Our key tasks for 2021 are the adoption of a new version of the law on control and the gradual creation of a unified risk management system to ensure not only the transparency of state supervision (control), but also mechanisms for assessing its effectiveness and efficiency.



ON INSPECTIONS.GOV.UA



The interactive platform was presented in July 2020.

The section "Tax Audits" of the Business Helper was presented in December 2020 (in cooperation with Vasil Kisil and Partners Law Firm)

46

thematic articles on all details of state inspections (including tax ones)

36

sample documents related to inspections

7,562

people became users in six months

512

users have already registered in the system



online generator of complaints and appeals about violations during inspections

RED TAPE CHALLENGE — DEREGULATION BASED ON BUSINESS CASES

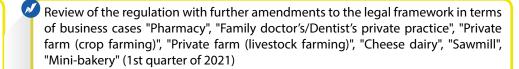
In summer 2020, BRDO experts proposed a new deregulation approach. It is based on business cases and implying a review of the regulation of certain business types with the further simplification of the rules of the game for entrepreneurs. As a result of the review, the proposals for regulation changes are discussed with business environment representatives by conducting an online survey called Hunting for Bureaucracy (#RedTapeChallenge). Business responses help BRDO experts develop relevant proposals to improve the business environment for certain industries.

The regulation of 4 business types (beauty salons, fitness centers, service stations, warehouses) was analyzed

2020

Business case "Beauty salon"

A draft Resolution of the Cabinet of Ministers of Ukraine "On amendments to the draft Resolution of the Cabinet of Ministers of Ukraine "On approval of the rules of consumer services" (registration #313 16.05.1994) regarding the cancelation of outdated rules for customer service providers" was developed



2021

Business case "Beauty salon"

A draft Order of the Ministry of Health "On amendments to the State Sanitary Rules and Standards for hairdressers of different types regarding the cancelation of Annex 1 on mandatory requirements for the hairdressing premises area" (approved State Sanitary Rules and Standards 2.2.2.022-99 registration #22 25.03.1999)

Business case "Fitness Center"

Draft Law of Ukraine "On Amendments to the Law of Ukraine "On Physical Culture and Sports" Regarding the Regulation of Activities of Fitness Centers"

Business case "Service station"

Development and adoption of rules for obtaining a permit from state road administrations regarding production activities on the roads

RAIDBAROMETER

Fight against raider attacks

Presidential Decree "On measures to counter raiding" (registration #542/2019)

An annual raiding index in Ukraine. It studies "registration raiding", which is based on gaps in laws related to state registration procedures and implies gaining control over business assets by manipulating information from state registers.

The study allows conducting a comprehensive assessment of the "registration raiding" dynamics and the effectiveness of government agencies in countering this type of raiding that requires considering a set of objective (respondents' answers) indicators.

THE RAIDBAROMETER INDEX METHODOLOGY CONTAINS THE FOLLOWING PARAMETERS:

Registration raiding dynamics in Ukraine

Effectiveness of government agencies (executive bodies, law enforcement agencies, courts) in counteracting raiding

Perception of the raiding dynamics and the effectiveness of government agencies in counteracting raiding by business representatives, lawyers, and experts

CROSS-SECTORAL INITIATIVES 44

BUSINESS SELF-REGULATION

GP "Self-regulation in Ukraine"

Survey of entrepreneurs and representatives of business associations on the model of self-regulation in Ukraine

Public consultation with stakeholders on the self-regulatory models in Ukraine

Concept of reforming the self-regulation system in Ukraine (Resolution of the Cabinet of Ministers of Ukraine (registration #308-r 10.05.2018)

Draft Law on Self-Regulation of Economic and Professional Activities (registration #4221) (registered and included in the agenda of the Verkhovna Rada of Ukraine) Advocacy of the draft law on selfregulation and support of the passage in the Verkhovna Rada

We find ourselves in a situation in which some types of business have the right to create self-regulatory organizations, while others do not. The draft law on self-regulation enshrines equal rights for all, introduces the best European practices, promotes business development, creates reputational benefits, improves the quality of products (works, services) and builds consumer confidence. Among the key benefits of self-regulation are the professionalization of control and the gradual reduction of administrative pressure on business. We expect that the framework law #4221 will be supported by the parliament.



Khrystyna Faichak a policy expert at the Better Regulation Delivery Office

ROLLING REVIEWS OF THE REGULATORY ENVIRONMENT

2015 >> > > > 2019 ------> 2020 ------> 2021 ---------

W

1,268 repealed legislative acts

Draft law on removal of outdated Soviet acts from the regulatory environment

Order of the Cabinet of Ministers of Ukraine "On the repeal of 36 regulatory acts based on the results of the "conclusion" tool review was adopted"

Draft Law on De-Sovietization of Ukrainian laws (registration #4284 29.10.2020)

METHODOLOGICAL GROUP

BETTER REGULATION REFORM

Methodology for launching directo-Impact forecast methodology The new version of the Regulation of the Cabinet of Ministers of rates Ukraine (Resolution of the Cabinet Methodology for assessing the Methodology for preparing explanof Ministers #168 of 26.02.2020) was Green Paper methodology impact forecast quality atory notes to draft resolutions of adopted the Cabinet of Ministers of Ukraine Rolling review methodology (several Methodology for consulting with

Methodology for policy concepts and white papers

stakeholders

Methodology for assessing the state policy in a particular sector

Electronic office of the head of the expert group / state expert (development of analytical documents, policy documents and accompanying documents)

versions)

Introduction of forecasting the impact of government decisions on stakeholders (Resolution of the Cabinet of Ministers #326 18.04.2018)

Methodology for preparing the impact forecast (Recommendations of the CMU Secretariat to central and local executive bodies #11812 / 0 / 2-18 4.07.2018)

78 public policy concepts in accordance with the goals of the program of activities of the Cabinet of Ministers of Ukraine under our advice and our mentoring

Discussion paper — key areas of public administration reform until 2025 — expert participation

2020:



16 SME-tests

2 trainings

17

consultations

on RIAs for CEBs

BRDO school (trainings for civil servants of ministries and CEBs)

Independent public assessment of progress in the public administration reform — expert participation

Expert participation in the independent public assessment of the course of public administration reform

^{*} The reform was suspended (Resolution of the Cabinet of Ministers of Ukraine on the repeal of the Rules of Procedure).

METHODOLOGICAL GROUP:

Approval of the "evidence-based" approach to form public policies and develop draft regulatory acts aimed at and their implementation: the use of data analysis and consideration of various policy/regulation structure options (RIA), their adjustment (RBM) and revision, preparation of analytical documents to justify the relevant proposals (Green Papers).

Ensuring the openness of public policy processes by involving representatives of stakeholders (those who will be affected by policy changes and those who will be responsible for their implementation) Roundtables).

By reviewing specific regulatory acts and developing proposals for various public policy areas, the Better Regulation Delivery Office (BRDO) concluded that Ukraine lacks a clear and transparent system for developing, adopting, monitoring, and reviewing public policy decisions. Usually, "policies" as a holistic and consistent approach of the state to solving problems of various groups of society, in particular businesses, is not formulated, monitored, or reviewed. Instead, the impulsive-intuitive and fragmentary adoption of specific acts is a dominant approach. As a result, public policies are unsystematic, uncoordinated/contradictory while often being changed irrationally (unreasonably and on impulse). We concluded that these fundamental problems of public policy-making processes should be resolved and focused on this activity.



Roman Kobets policy expert

Developing draft regulatory acts on the introduction of policy documents and analytical support documentation in the regular procedures of public authorities (Rules of Procedure of the Cabinet of Ministers of Ukraine and the amendment thereto).

Building capacities of civil servants, representatives of business associations, think tanks, and non-governmental organizations to analyze public policies, form and advocate for specific proposals in terms of their content:

- developing guidance materials to prepare public policy documents, regulatory acts, and analytical background papers
- conducting training courses on the use of these methods (BRDO School);
- providing advisory and mentoring support on the use of these methods;
- creating IT-tools that facilitate the preparation of public policies, regulatory acts, and analytical background papers
- facilitating the launch of the Directorates as structural units of the Ministry responsible for formulating sectoral policies

SUPPORT AND PROMOTION OF BRDO INITIATIVES

COMMUNICATIONS SECTOR

- development and implementation of the communication strategy and plans based on research
- comprehensive communication support of legislative initiatives and IT solutions
- organization of public consultations, trainings, events of any level
- cooperation with media and stakeholders

ECONOMIC SECTOR

- forecasting the dynamics of key macroeconomic indicators, analysis of their impact on the economic activity of business entities
- calculating the economic effect from the implementation of legislative initiatives
- assessing the regulatory impact on the economic activity of business entities;
- assessing the economic effect of state COVID-19 crisis response programs

FUNDRAISING PRIORITIES

- searching for resources for the implementation of reforms for public authorities
- evaluation of projects for donors
- project structuring

LEGAL SECTOR

- analyzing the current legislation and preparing proposals for its improvement
- analyzing European integration commitments and preparing proposals to bring Ukrainian laws in line with EU legislation
- developing green papers
- drafting regulatory acts

Annex Regulatory acts (co)drafted by BRDO experts in 2020

CONSTRUCTION SECTOR

Adopted:

3 laws in total:

- Law of Ukraine "On National Geospatial Data Infrastructure" (registration #554-IX 13.04.2020)
- Law of Ukraine "On Supply of Construction Materials to the Market" (registration #850-IX 02.09.2020"
- Law of Ukraine "On Amendments to Some Legislative Acts of Ukraine Concerning Land Use Planning" (registration #711-IX 17.06.2020)

law in the first reading:

 Law of Ukraine "On Optimization of Road Construction and Improvement of Urban Planning Laws (registration #2680 27.12.2019)

2 acts of the Cabinet of Ministers of Ukraine:

- Order of the Cabinet of Ministers of Ukraine "On approval of the Action Plan for creating and introducing a Unified State Electronic System in Construction" (registration #565-r 20.05.2020)
- Resolution of the Cabinet of Ministers of Ukraine "On Implementation of a Pilot Project on Introduction of the First Stage of the Unified State Electronic System in Construction" (registration #559 01.07.2020)

Presidential Decree:

Presidential Decree "On the Coordination Council for Solving Problematic Issues in Urban Planning and Construction Development" (registration #413/2020 29.09.2020)

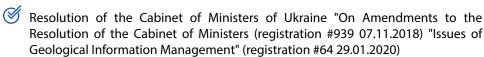
Participated in drafting:

11 regulatory acts, in particular:

- Draft Law of Ukraine "On State Address Register of Ukraine"
- Draft Law of Ukraine "On Assistance to Affected Creditors in Completion of Problematic Objects of Unfinished Multi-Family Residential Construction Projects"
- Draft Procedure for maintaining the Unified State Electronic System in construction
- Draft Procedure for determining the maximum height and planning restrictions on land development in aerodrome environs in urban planning conditions and restrictions and for this purpose, ensuring the interaction of authorized urban planning and architecture authorities with aerodrome operators, competent civil aviation authority6 and/or an authorized central executive body in state aviation, obtaining information on state aviation aerodrome elevation (the highest point of the landing area above the sea level)

ENERGY SECTOR

Adopted:



3 regulatory acts were drafted:

- Draft Law of Ukraine "On Stimulating the Use of Liquid Biofuels (Biocomponents) in the Transport Sector"
- Draft Law of Ukraine "On Amendments to the Law of Ukraine "On the Electricity Market" Regarding the Functioning of the Balancing Electricity Market"
- Draft Resolution of the Cabinet of Ministers of Ukraine "On Amendments to Some Resolutions of the Cabinet of Ministers of Ukraine Regarding Improving the Provision of Housing Subsidies"

Participated in drafting 4 regulatory acts:

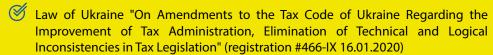
- Draft Law of Ukraine "On Simplification of Land Relations and Introduction of the "Single Window" Mechanism to Approve Project Documentation for Construction, Reconstruction and/or Technical Re-equipment of External Power Supply Networks to Connect Consumer Electrical Installations"
- Draft Law of Ukraine "On Amendments to Certain Laws of Ukraine Regarding Addressing Certain Issues Related to Electrical Network Connection"
- Draft Law of Ukraine "On Amendments to the Law of Ukraine "On the Electricity Market"
- Draft Law of Ukraine "On Amendments to Some Legislative Acts Concerning Reliable and Sustainable Electricity and Heat Supply to Consumers"

IT&TELECOM SECTOR

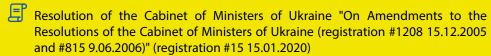
Adopted:

2 laws in total:





2 acts of the Cabinet of Ministers of Ukraine:



Resolution of the Cabinet of Ministers of Ukraine "On Amendments to the Procedure for Processing, Issuance, Exchange, Cancelling, Forwarding, Withdrawal, Return to the State, Invalidating and Abolishing of the Temporary Residence Permit" (registration #933 09.10.2020)

Order:

Order of the Ministry of Economic Development, Trade and Agriculture "On amendments to the list of occupations and qualification requirements for specialists and workers, the need for which can be met through immigration in 2020" (registration #1847 21.09.2020)

Participated in drafting:

11 regulatory acts, in particular:

Draft Law of Ukraine "On the Communications Regulator (NCCIR)"

Updated draft Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Regulations on Data Sets to Be Published in the Form of Open Data" (registration #835 21.10.2015)

TRANSPORT AND INFRASTRUCTURE SECTOR

2 regulatory acts were adopted:

- Resolution of the Cabinet of Ministers of Ukraine "On Recognizing the Resolution of the Cabinet of Ministers of Ukraine (registration #357 17.05.1993) invalid" (registration #468 10.06.2020) (the Resolution #357 that obliged cargo owners to coordinate the transportation volume with railways, sea, and river ports was repealed)
- Order of the Ministry of Infrastructure "On approval of the Provisional Regulations on the Procedure for admission of private locomotives to operation of separate routes on public railway tracks" (registration #191 04.03.2020) (registered as #278/34561 16.03.2020 in the Ministry of Justice of Ukraine)

8 regulatory acts were drafted:

- Draft Law of Ukraine "On the Transport Regulator"
- Draft Law of Ukraine "On the Taxi Market"

Participated in drafting the following regulatory acts:

- Draft Order of the Ministry of Infrastructure of Ukraine "On approval of the Procedure for road safety audits"
- A procedure for road safety audits approved by the Order of the Ministry of Infrastructure of Ukraine
- A draft contract on admission of private locomotives to operation of separate routes on public railway tracks that will be concluded between the JSC "Ukrzaliznytsia" and pilot project participants according to the Provisional Regulations on the Procedure for admission of private locomotives to operation of separate routes on public railway tracks approved by the Order of the Ministry of Infrastructure (registration #191 04.03.2020), registered as #278/34561 16.03.2020 in the Ministry of Justice of Ukraine

Support and approval of regulatory acts drafted by sector experts:

Draft Resolution of the Cabinet of Ministers of Ukraine "On Amendments to the Annex to the Resolution of the Cabinet of Ministers of Ukraine (registration #405 3.06.2013) (regarding demonopolization of the market of pilotage services and exclusion of icebreaking services from the List)"

AGRICULTURE SECTOR

Adopted:

3 laws in total:

- Law of Ukraine "On Amendments to the Forestry Code of Ukraine Regarding the National Forest Inventory" (registration #643-IX 02.06.2020)
- Law of Ukraine "On Amendments to Some Legislative Acts of Ukraine to Preserve the Environment Regarding Strengthening the Responsibility for Actions Aimed at Air Pollution and Destruction or Damage to Flora" (registration #556-IX 13.04.2020)
- Law of Ukraine "On Amendments to Certain Laws of Ukraine on the Functioning of the State Agrarian Register and Improvement of State Support of Agricultural Producers" (registration #985-IX 05.11.2020)

3 acts of the Cabinet of Ministers of Ukraine:

- Resolution of the Cabinet of Ministers of Ukraine "On Approval of the State Program for Stimulating the Economy to Overcome Negative Consequences Caused by Restrictive Measures to Prevent the Occurrence and Spread of COVID-19 Acute Respiratory Disease Caused by SARS-CoV-2 Coronavirus for 2020-2022" (registration #534 27.05.2020)
- Resolution of the Cabinet of Ministers of Ukraine "On Amendments to Some Resolutions of the Cabinet of Ministers of Ukraine" (registration #1224 09.12.2020) (regarding sanitary felling)
- Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for Certification of Organic Production and/or Circulation of Organic Products and Amendments to the Resolution of the Cabinet of Ministers of Ukraine (registration #970 23.10.2019)" (registration #1032 21.10.2020)

2 laws in the first reading:

- Oraft Law of Ukraine "On Amendments to Some Legislative Acts of Ukraine Regarding Strengthening Forest Protection, Prevention of Fires on Forest and Water Fund Lands, Peat Lands and Lands of Other Categories" (registration #3526 22.05.2020)
- Oraft Law of Ukraine "On Amendments to Article 4 of the Law of Ukraine "On Pesticides and Agrochemicals" Regarding Import of Pesticides into the Customs Territory of Ukraine" (registration #2289 18.10.2019)

4 orders:

- Order of the Cabinet of Ministers of Ukraine "On approval of the Government's Priority Action Plan for 2020" (registration #1133-r 09.09.2020)" (regarding improving the efficiency of state-owned forestry enterprises management)
- Order of the Cabinet of Ministers of Ukraine "On allocation of funds for the implementation of measures to prevent and eliminate consequences of emergencies related to fires in the exclusion zone, the zone of unconditional (compulsory) resettlement and adjacent lands of state enterprises belonging to the state forest resources agency of Ukraine" (registration #407-r 13.04.2020)
- Order of the Cabinet of Ministers of Ukraine "On allocation of funds from the state budget reserve fund to implement emergency response measures related to fires in the Zhytomyr region" (registration #510-r 06.05.2020)
- Order of the Cabinet of Ministers of Ukraine "On approval of the Action Plan to implement the irrigation and drainage strategy in Ukraine until 2030" (registration #1567-r 21.10.2020) (provides for practical steps to improve irrigation and drainage systems in Ukraine)

Drafted:

16 regulatory acts, in particular:

- Draft Law of Ukraine "On Beekeeping"
- Draft Law of Ukraine "On the List of State Property Objects Not Subject to Privatization"
- Draft Law of Ukraine "On Amendments to the Law of Ukraine "On State Support of Agriculture of Ukraine" and Some Other Laws of Ukraine Regarding Improving the Legal Regulation of State-Supported Agricultural Production Insurance"
- Draft Law of Ukraine "On the Timber Market"
- Instruction on Electronic Timber Accounting
- State forest management strategy in Ukraine until 2035
- New rules of fire safety in Ukrainian forests
- Amendments to the forestry legislation (regarding introducing a single unified approach to the issuance of logging cards)

Sector achievements:

- Instruction on Electronic Timber Accounting
- State forest management strategy in Ukraine until 2035
- A three-level organizational and economic model of reforming the management of reclamation systems in Ukraine
- New rules of bee farm certificate registration and issuance
- Concept of nut market regulation

CONTROL AND SUPERVISION SECTOR

Adopted:

5 acts of the Cabinet of Ministers of Ukraine:

- Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for Issuance (Refusal to Issue, Cancellation) of Permits for Certain Types of Space Activities (registration #197 26.02.2020)"
- Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for Filing Declarations on Space Business Activities (registration #198 26.02.2020)"
- Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for Payment for Special Use of Aquatic Bioresources and the Amount of Payment for Their Use" (registration #125 12.02.2020)
- Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for Payment for Special Use of Aquatic Bioresources and the Amount of Payment for Their Use" (registration #125 12.02.2020
- Order of the Cabinet of Ministers of Ukraine "On cancelation of certain acts of ministries and other central executive bodies" (registration #1143-r 23.09.2020)

other regulatory act:

Order of the Cabinet of Ministers of Ukraine "On amendments to the Instruction on the application of the Procedure for setting limits on the use of natural resources within the national nature reserve fund's territories and objects" (registration #15 06.08.2020)

Sector achievements:

- A concept of state policy for creating the ECO Platform for natural resources management
- Codification of fisheries

Drafted:

7 regulatory acts, in particular:

- Draft Law of Ukraine "On Amendments to Legislative Acts of Ukraine on the Approval System in the Field of Economic Activity and Simplification of Market Access" (registration #4219 15.10.2020)
- Draft Law of Ukraine "Draft Law of Ukraine "On Amendments to Some Legislative Acts of Ukraine Regarding the Easing of Doing Business in the Post-Quarantine Period" (registration #3753 26.06.2020)"
- Draft Law of Ukraine "On Amendments to the Law of Ukraine "On State Regulation of Production and Circulation of Ethyl Alcohol, Cognac and Fruit Alcohol, Alcohol Beverages, Tobacco Products, Liquids Used in E-cigarettes and Fuel" Regarding Simplification of Economic Activity in the Production of Beer, Grape Wines, Fruit Wines, and Honey Beverages"
- Draft Law of Ukraine "On Amendments to Article 215 of the Tax Code of Ukraine Regarding Setting Reduced Excise Duty Rates on Alcoholic Beverages (Beer) for Small Brewers"
- Draft Resolution of the Cabinet of Ministers of Ukraine "On Amendments to Resolutions of the Cabinet of Ministers of Ukraine (registration #1174 16.11.2011 and #285 2.03.2016)"
- Draft Resolution of the Cabinet of Ministers of Ukraine "On Implementation of a Pilot Project on Introduction of the First Stage of the Unified State Electronic System of Permits in Construction"
- Draft Resolution of the Cabinet of Ministers of Ukraine "On Amendments to the Regulations on the Unified State Web Portal of Electronic Services"

LEGAL SECTOR

Drafted:

Draft Law of Ukraine "On Consumers' Rights Protection"

METHODOLOGICAL GROUP

Drafted:



Draft Law of Ukraine "On Self-Regulation of Economic and Professional Activities" (registration #4221 15.10.2020)

Contributed:



Draft Resolution of the Cabinet of Ministers of Ukraine "On Amendments to the Regulations of the Cabinet of Ministers of Ukraine" #326 18.04.2018



Draft Law of Ukraine "On Self-Regulation of Economic and Professional Activity" #4221 15.10.2020

CROSS-SECTORAL DRAFT REGULATORY ACTS:

SUBSOIL USE:

Drafted:



Praft Subsoil Code of Ukraine

RED TAPE CHALLENGE:

Drafted:



Draft Resolution of the Cabinet of Ministers of Ukraine "On Amendments to the Draft Resolution of the Cabinet of Ministers of Ukraine On Approval of the Rules of Consumer Services" (registration #313 16.05.1994) Regarding the Cancelation of Outdated Rules for Customer Service Providers"



Draft Order of the Ministry of Health "On amendments to the State Sanitary Rules and Standards for hairdressers of different types regarding the cancelation of Annex 1 on mandatory requirements for the hairdressing premises area (approved State Sanitary Rules and Standards 2.2.2.022-99 registration #22 25.03.1999)"



Draft Law of Ukraine "On Amendments to the Law of Ukraine "On Physical Culture and Sports" (regarding the regulation of activities of fitness centers)

INSPECTION REFORM:

Drafted:



Draft Law of Ukraine "On Basic Principles of State Supervision (Control)"











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BRDO is a reliable, impartial partner being transformed from an international technical assistance project into an independent non-governmental organization. We are sincerely thankful to all partners for their cooperation and support of our initiatives!

