

LAW OF UKRAINE  
**“ON THE NATIONAL  
ANTI-CORRUPTION  
BUREAU OF UKRAINE”**



# ARTICLE 1

## STATUS OF THE NATIONAL ANTI-CORRUPTION BUREAU OF UKRAINE

1. The National Anti-Corruption Bureau of Ukraine (hereinafter referred to as the National Bureau) is a central executive agency, which is vested with prevention, detection, suppression, investigation and solving of corruption and other criminal offences under its competence, as well as prevention of committing the new ones.

The objective of the National Bureau is to counter criminal corruption offenses committed by senior officials authorized to perform the functions of the state or local self-government and which threaten national security, as well as taking other statutory measures to combat corruption.

# ARTICLE 2

## THE LEGAL BASIS FOR THE NATIONAL BUREAU'S ACTIVITIES

1. The legal basis for activities of the National Bureau includes the Constitution of Ukraine, international treaties of Ukraine, this and other laws of Ukraine, and other legal acts adopted in accordance with them.

The Law of Ukraine "On the Cabinet of Ministers of Ukraine", the Law of Ukraine "On Central Executive Agencies" and other regulations governing the activities of executive agencies, as well as the Law of Ukraine "On Civil Service" shall apply to the National Bureau, its officers, senior and other officials in the part that does not contradict this Law. In case of any conflicts between the provisions of this Law and other laws and regulations, the provisions of this Law shall have the priority.







# ARTICLE 3

## THE MAIN PRINCIPLES OF OPERATION OF THE NATIONAL BUREAU

### **1. The main principles of operation of the National Bureau are:**

- 1) rule of law;
- 2) respect for the rights and freedoms of individuals and legal entities;
- 3) legality;
- 4) impartiality and fairness;
- 5) independence of the National Bureau and its employees;
- 6) subjection to control and accountability to the public and state authorities designated by law;
- 7) openness to democratic civic control;
- 8) political neutrality and non-partisanship;
- 9) cooperation with other state agencies, local self-government bodies, non-governmental organizations.

# ARTICLE 4

## GUARANTEES OF INDEPENDENCE OF THE NATIONAL BUREAU

1. Independence of the National Bureau in its work shall be guaranteed by:

1) the special procedure for competitive selection of the National Bureau's Head and exhaustive list of grounds for termination of office of the Director of the National Bureau which are stipulated by this Law;

2) competitive selection of other National Bureau's employees, their special legal and social protection, proper conditions of remuneration of employees;

3) stipulated by law procedure for financing and providing material supplies to the National Bureau;

4) defined by law protection of the personal safety of employees of the National Bureau, their close relatives and property;

5) other means specified by this Law.

2. Using of the National Bureau for party, group or personal interests is prohibited. Activities of political parties within the National Bureau is prohibited.

3. Unlawful interference by state authorities, local self-government bodies, their officials and employees, political parties, civic associations and other individuals or legal entities with the activities of the National Bureau shall be prohibited.

Any written or oral order, requests, instructions, etc. addressed to the National Bureau or its employees concerning the organization of the National Bureau's activities, including the adoption of regulations, the direct exercise of the National Bureau's powers defined by Law, the pre-trial investigation in a particular criminal proceeding and not provided for by the Criminal Procedure Code of Ukraine, are illegal and not enforceable.

In case of receiving such order, request, instructions, etc., the employee of the National Bureau shall immediately inform the Director of the National Bureau in writing.

4. The activities of the National Bureau shall be directed and coordinated directly



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by the Cabinet of Ministers of Ukraine within the scope and in accordance with the procedure established by this Law.

The Cabinet of Ministers of Ukraine directs and coordinates the activities of the National Bureau exclusively as follows:

1) approval of the draft Anti-Corruption Strategy and the state program for implementation thereof;

2) development of draft laws on the State Budget of Ukraine and on amendments to the State Budget of Ukraine, which provide for the financing of the National Bureau in the amount necessary for the effective exercise of its powers;

3) receipt and consideration of a written report on the activities of the National Bureau provided for in Article 26 of this Law;

4) approval of the Regulation on the Public Control Council at the National Bureau and on the procedure for formation thereof;

5) appointment of persons to the Commission for conducting an external independent assessment (audit) of the National Bureau's performance in accordance with Article 26 of this Law;

6) exercise of other powers envisaged by this Law.

The Cabinet of Ministers of Ukraine does not approve the Regulation on the National Anti-Corruption Bureau of Ukraine.

Without any approvals from the Cabinet of Ministers of Ukraine, other public authorities, their officials, the Director of the National Bureau approves regulations on structural units, job descriptions of employees of the National Bureau.

5. Regulations of the National Bureau may not be revoked fully or partially by the Cabinet of Ministers of Ukraine.

6. Regulations of the National Bureau shall enter into force on the day of their official publication, unless otherwise provided by such regulations, however not earlier than the day of their official publication.

Other regulations of the National Bureau shall enter into force on the day of adoption thereof, unless such regulations set a different date of their entry into force, however not earlier than the day of adoption thereof, and shall be notified to such persons which are subject to such regulations in accordance with the procedure established by the National Bureau.

Regulations of the National Bureau (except for restricted information) are published by posting them on the official website of the National Bureau.

State registration of regulations of the National Bureau by the Ministry of Justice of Ukraine is not conducted.

Regulations of the National Bureau are included in the Unified State Register of Regulations of Ukraine.

# ARTICLE 5

## GUARANTEES OF INDEPENDENCE OF THE NATIONAL BUREAU

1. The National Bureau consists of a central and territorial offices.

The National Bureau is a legal entity of public law.

The central office of the National Bureau is located in the city of Kyiv.

2. In order to ensure performance of the National Bureau, the Director shall establish no more than seven territorial offices of the National Bureau, with their mandate covering defined oblasts of Ukraine, the Autonomous Republic of Crimea, the cities of Kyiv and Sevastopol.

When deemed and justified necessary, the Director of the National Bureau may establish additional territorial offices of the National Bureau under a specific oblast or the Autonomous Republic of Crimea with his/her related decision.

The Director of the National Bureau shall establish, reorganize and liquidate the territorial offices of the National Bureau in accordance with this Law.

Territorial offices of the National

Bureau are formed and operate as separate subdivisions of the National Bureau without the formation of separate legal entities.

3. The structure, staffing, regulations on structural subdivisions, job descriptions of the employees of the National Bureau shall be approved by the Director of the National Bureau.

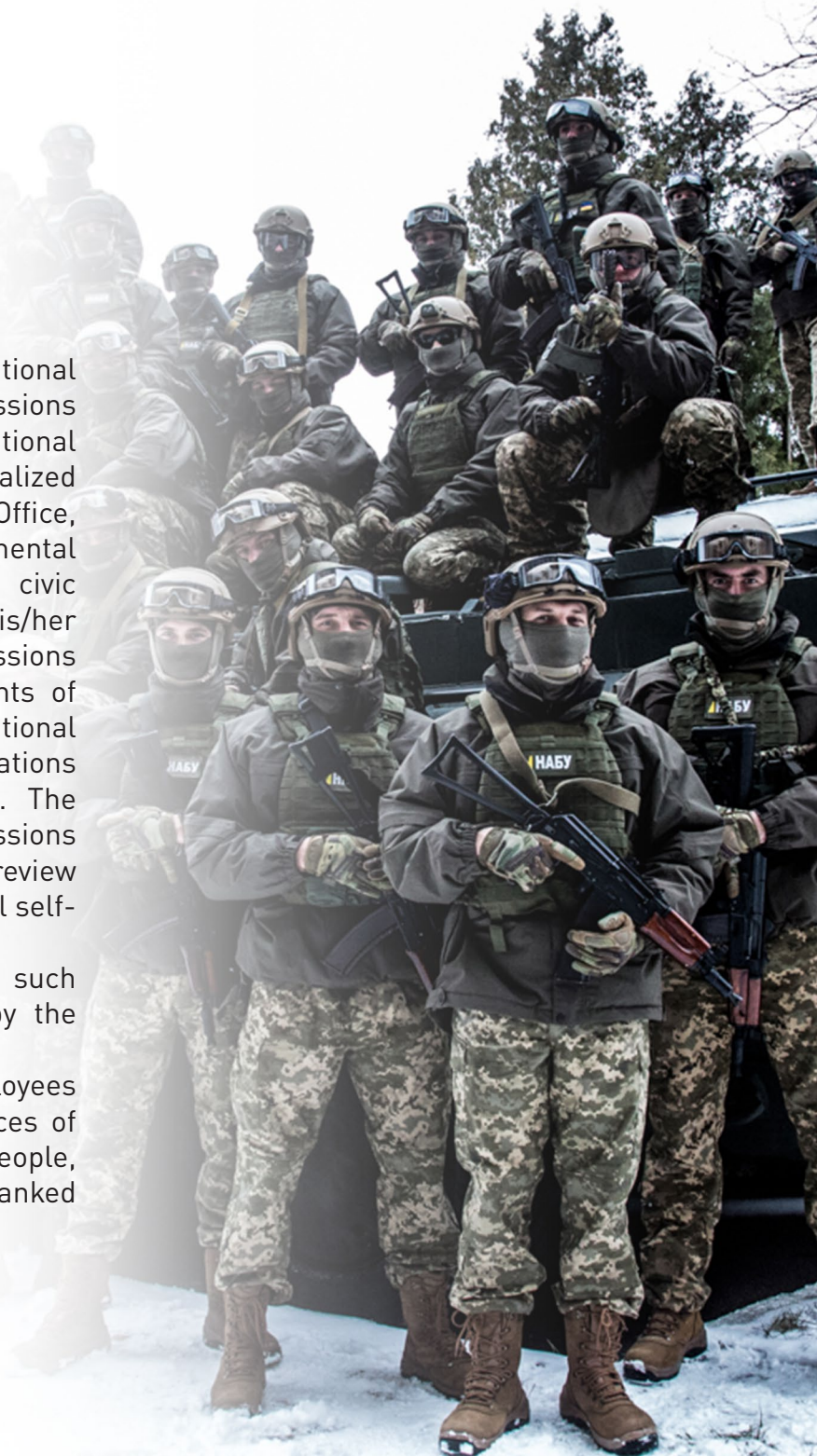
The requirements of the Cabinet of Ministers of Ukraine to form the structure of the central executive agency shall not apply to the National Bureau.

4. The structure of the National Bureau includes informational and analytical, operative and detective, operative and technical units, investigative units, units for tracing assets subject to possible forfeiture, prompt response units, protection of participants in the criminal proceedings units, representation of interests in foreign jurisdictions, expert, financial, human resources and other units.

5. The Director of the National Bureau may establish commissions involving employees of the National Bureau, a prosecutor of the Specialized Anticorruption Prosecutor's Office, public officials of other governmental agencies and representatives of civic society associations with his/her related decision. Such commissions shall deal with violations of rights of individuals cooperating with the National Bureau and file recommendations to remove the above violations. The recommendations filed by commissions as such shall be mandatory for review by public administrations and local self-governance bodies.

The operation procedures of such commissions shall be defined by the Director of the National Bureau.

6. The maximum number of employees of the central and territorial offices of the National Bureau shall be 700 people, including not more than 500 of ranked persons.





# ARTICLE 6

## DIRECTOR OF THE NATIONAL BUREAU

2. The activities of the National Bureau shall be managed by its Director to be appointed and dismissed by the Cabinet of Ministers of Ukraine in accordance with the procedure established by this Law.

The Cabinet of Ministers of Ukraine shall decide on dismissal of the Director of the National Bureau of Ukraine solely in the presence of grounds determined by part fourth of this Article only if at least two thirds of the members of the Cabinet of Ministers of Ukraine voted for it in accordance with Article 6 of the Law of Ukraine "On the Cabinet of Ministers of Ukraine".

The Director of the National Bureau shall be a citizen of Ukraine, who has a university degree in law, has professional work experience of no less than 10 years, work experience at management positions in public authorities, institutions, organizations or international organizations of no less than 5 years, knows state language and is capable by his/her professional and moral characteristics, educational and professional level, health status to perform relevant official duties.

The following definitions shall be used for the purpose of this Law:

1) higher education in the field of law is the education acquired in Ukraine (or former USSR before December 1, 1991) with the specialist or master's education and qualification degree as well as higher education in the field of law acquired in foreign states with equivalent education and qualification degrees;

2) work experience (expertise) in the field of law is an individual's work experience under the specialty learned when acquiring higher education in the field of law with the specialist or master's education and qualification degree as well as higher education in the field of law acquired in foreign states with equivalent education and qualification degrees.

Person who within two years prior to applying for the competition to fill the position of the Director of the National Bureau, regardless of duration, was part of the leadership of a political party or was in the employment or other contractual relationship with a political party may not be appointed as the Director of the National Bureau.

Person who does not comply with the restrictions specified in paragraphs 1-7, 9, part one, Article 13 of this Law may not be appointed as the Director of the National Bureau.

Person who has failed to undergo vetting according to the procedure established by the Law of Ukraine "On Lustration" may not be appointed as Director of the National Bureau in order to restore confidence in the government and create conditions for the construction of a new system of government in line with European standards.

3. The Director of the National Bureau is appointed for a term of seven years. The same person may not hold this office for two consecutive terms.

4. The powers of the Director of the National Bureau are terminated in connection with expiration of his term in office or his/her death.

The Director of the National Bureau shall be dismissed from his office in case of:

1) submission of a written request for termination of office upon his/her own will;

2) the appointment or election to another office upon his/her consent;

3) reaching the age of 65 years;

4) inability to perform his duties due to health reasons in accordance with the opinion of the medical commission, created by the decision of the authorized central executive body that implements

the state policy in the field of health care;

5) the court's decision on his recognition as incapacitated or limiting his civil capacity, recognition as a missing person or declaring him/her dead;

6) the entry into force of conviction against him/her;

7) termination of the citizenship of Ukraine or departure for permanent residence outside of Ukraine;

8) non-compliance with restrictions on out-of-office and part-time employment stipulated by the Law of Ukraine "On Principles of Prevention and Countering Corruption";

9) untimely filing of a declaration of person authorized to perform the functions of the state or local self-government;

10) acquisition of citizenship of another state;

11) an available independent assessment (audit) opinion on performance of the National Bureau rendered by a related commission in accordance with Article 26 of this Law regarding inefficient performance of the National Bureau and improper implementation of official duties by the Director of the National Bureau;

12) pending debts related to child maintenance payments with the total amount thereof exceeding the amount of related payments for twelve months since demonstration of an executive document on enforcement;

13) entry into force of the court judgment recognizing its assets or assets acquired on its behalf by other persons or in other cases provided for in Article 290 of the Civil Procedure Code of Ukraine as unsubstantiated and recovery thereof as the state revenue.

Director of the National Bureau may not be dismissed, and the decree of the President of Ukraine on his appointment may not be revoked except for reasons stipulated in this paragraph.

5. The Director of the National Bureau may be removed from office only on the grounds and in accordance with the procedure established by the Criminal Procedure Code of Ukraine.

6. In case of termination of powers or dismissal of the Director of the National Bureau, all his powers defined by this Law and other laws shall be exercised by the First Deputy Director of the National Bureau, and in his/her absence — by one of the Deputy Directors of the National Bureau until the date of appointment of the Director of the National Bureau in accordance with the procedure established by Article 7 of this Law.

In case of removal of the Director of the National Bureau from office, all his powers defined by this Law and other laws shall be exercised by the First Deputy Director of the National Bureau, and in his/her absence — by one of the Deputy Directors of the National Bureau.





# ARTICLE 7

## THE PROCEDURE FOR COMPETITIVE SELECTION AND APPOINTMENT OF THE DIRECTOR OF THE NATIONAL BUREAU

3. The Selection Commission consists of:  
1-1) three persons determined by the Cabinet of Ministers of Ukraine;

2) three persons determined by the Cabinet of Ministers of Ukraine on the basis of the proposals of international and foreign organizations, which in accordance with international or intergovernmental agreements during the last three years prior to expiration of the term of office of the Director of the National Bureau or until the date of early termination of his/her powers had been providing an international technical assistance to Ukraine in the field of preventing and combating corruption.

The Ministry of Foreign Affairs of Ukraine shall determine the list of such international and foreign organizations no later than three months prior to expiration of the term of office of the Director of the National Bureau or within three business days as from the date of early termination of his/her powers (dismissal) in accordance with the procedure established by this Law.

These international and foreign organizations agree on the proposal

as to general list of candidates to the Selection Commission consisting of at least three persons.

The decision to determine members of the Selection Commission is adopted at the open session of the Cabinet of Ministers of Ukraine.

Members of the Selection Commission may be persons who have impeccable business reputation, high professional and moral qualities, public authority, as well as at least five-year experience in law enforcement or anti-corruption activities.

Persons referred to in paragraphs 1-3 of part 1 of Article 13 of this Law and persons authorized to perform the functions of the state or local self-government in accordance with the Law of Ukraine "On Prevention of Corruption" may not be members of the Selection Commission.

The Selection Commission shall be deemed qualified in case of its approval in full composition, as provided by this part.

The powers of members of the Selection Commission shall be

terminated on the date of entry into force of the decision of the Cabinet of Ministers of Ukraine on the appointment of the Director of the National Bureau.

The powers of a member of the Selection Commission shall be terminated early in the following cases:

- submission of a personal application for termination of powers of a member of the Selection Commission;

- submission by the Selection Commission of a proposal as to early termination of powers of its member;

- entry into force of a court conviction against him/her;

- recognizing him/her as incapable or missing;

- his/her death.

The decision on early termination of powers of a member of the Selection Commission shall be adopted by the Cabinet of Ministers of Ukraine and shall determine a member of the Selection Commission for replacement in accordance with the procedure established by this part for the determination of members of the Selection Commission;

4. The decision of the Selection Commission shall be considered as adopted if at the session of the Selection Commission at least four members of the Selection Commission voted for it, including at least two members of the Selection Commission appointed by the Cabinet of Ministers of Ukraine on the basis of the proposals of international and foreign organizations, which

in accordance with international or intergovernmental agreements during the last three years prior to expiration of the term of office of the Director of the National Bureau or until the date of early termination of his/her powers had been providing an international technical assistance to Ukraine in the field of preventing and combating corruption.

In case of equal number of members of the Selection Commission who supported the decision and those who did not support it or abstained during the voting or did not participate in the voting regardless of the reasons, voting on the issue shall be repeated until the decision is adopted according to paragraph one of this part.

If during the repeated voting on the relevant issue a decision in accordance with paragraph one of this part is not adopted within 24 hours of the first voting, the decision voted by at least three members of the Selection Commission shall be considered as adopted, including at least two members of the Selection Commission determined by the Cabinet of Ministers of Ukraine on the basis of the proposals of international and foreign organizations, which in accordance with international or intergovernmental agreements during the last three years prior to expiration of the term of office of the Director of the National Bureau or until the date of early termination of his/her powers had been providing an international technical assistance to Ukraine in the field of preventing and combating corruption.

A member of the Selection Commission may participate in its sessions remotely by video conference.

5. The Head and Secretary of the Selection Commission shall be elected by the Commission from among its own members.

Sessions of the Selection Commission are open to the media and journalists. Video and audio recording and live broadcast of relevant video and audio information from the Selection Commission's sessions shall be ensured on the official website of the Cabinet of Ministers of Ukraine.


Information regarding the time and place of the session of the Selection Commission shall be published on the official website of the Cabinet of Ministers of Ukraine not later than 48 hours before it starts.

The operation of the Selection Commission shall be provided by the Secretariat of the Cabinet of Ministers of Ukraine. Funding of the activities of the Selection Commission and its members may be provided by attracting an international technical assistance.

6. The Selection Commission shall:

- 1) define and publish its Rules and Regulations, criteria and methods of assessment of candidates to the position of the Director of the National Bureau;
- 2) post announcements about terms and conditions of competition;
- 3) review the documents submitted by persons for participation in the competition, examine the materials





concerning the candidates, conduct assessment of professional knowledge and qualities of the candidates;

4) based on the results of testing knowledge of the laws, testing general abilities, performance of practical tasks, conducting other tests and examinations determined by the Selection Commission, select individuals out of the total number of candidates for further interviews at a related meeting to verify that the candidate meets the competence and fairness criteria, as well as individuals who are subject to a special inspection provided by the Law of Ukraine "On Prevention of Corruption" and an inspection provided by the Law of Ukraine "On Lustration";

5) select through an open ballot among the candidates who passed the interview and in-spections mentioned in paragraph 4 of this Part three candidates who, according to a justified decision of the Selection Commission, have the best professional experience, knowledge and qualities to perform duties of the Director of the National Bureau; file submissions to the Prime Minister of Ukraine regarding three selected candidates to the position of the Director of the National Bureau;

6) disclose information about the persons who applied for the competition, the results of tests and examinations for each candidate, as well as information on the candidates selected for future interviews and inspections mentioned in paragraph 4 of this Part, as well as on

the candidates selected by the Selection Commission for submission to the Prime Minister of Ukraine;

7) conduct a repeated competition if all candidates are rejected due to their non-compliance with the requirements for the Director of the National Bureau, or failure of the selected candidates to undergo a special inspection or verification provided by the Law of Ukraine "On Lustration".

Decisions of the Selection Commission may be appealed in court only on the issues of compliance with the procedure established by this Law for organizing and conducting a competition for the position of the Director of the National Bureau.

Members of the Selection Commission in order to exercise their powers shall have the right to:

- collect, verify and analyze information, including restricted information (except for information classified as a state secrecy in accordance with the Law of Ukraine "On State Secrecy") about the candidates to the position of the Director of the National Bureau;

- have a temporary free access for the period of the competition to registers, databases held (administered) by public authorities;

- take part in the meetings and other events held by the Selection Commission;

- apply to the candidates to the position of the Director of the National Bureau, as well as to any other individuals or legal entities with a request to provide explanations, documents or information

necessary for consideration of the candidates to the position of the Director of the National Bureau;

- use assistants to collect, verify and analyze information, including restricted information.

Assistants are obliged to ensure the protection and non-disclosure of personal data, restricted information which became known to them in connection with the performance of their duties.

Members of the Selection Commission shall be obliged to:

- ensure the protection and non-disclosure of personal data, restricted information, which became known to them in connection with the exercise of powers;

- participate in the activities of the Selection Commission personally without delegating their powers to other persons, including other members of the Selection Commission;

- not to use for other purposes than for the performance of their duties as members of the Selection Commission personal data and other information that became known to them in connection with participation in the activities of the Selection Commission;

- inform the Selection Commission that a member of the Selection Commission is or has been in a personal or business relationship with a candidate to the position of the Director of the National Bureau and/or that there is other conflict of interest or circumstances that

may affect objectivity and impartiality when such member adopts decision on such a candidate, and refuse (resign) to participate in gathering information about such candidate and consider the issue regarding him/her.

7. No later than two months before the end of the term of office of the Director of the National Bureau or within fourteen days from the date of early termination of his/her powers (dismissal), the Selection Commission shall be established.

The Selection Commission shall publish announcements on terms and conditions of conducting the competition to the position of the Director of the National Bureau in the national media and on the official website of the Cabinet of Ministers of Ukraine.

8. A person who applies to participate in the competition shall submit the following documents in term specified in the announcement:

1) an application for participation in the competition, including consent to undergo a special vetting in accordance with the Law of Ukraine "On Prevention of Corruption" and consent for the processing of his/her personal data in accordance with the Law of Ukraine "On Personal Data Protection";

2) curriculum vitae which should include: the name, the first and patronymic name (if applicable), date, month, year and place of birth, citizenship, educational background, work experience, position (occupation), place of work, community work (including

in elected positions), membership in political parties, including those in the past, work or any other contractual relationship with a political party during the year preceding the submission of the application (regardless of duration), contact telephone number and email address, criminal record or its absence;

3) the declaration of assets, income, expenses and financial obligations for the year preceding the year in which the announcement about the competition was made public in the form prescribed by the Law of Ukraine "On Prevention of Corruption";

3-1) the declaration on the lack of pending debts related to child maintenance payments with the total amount thereof exceeding the amount of related payments for six months since demonstration of an executive document on enforcement;

4) other documents stipulated by the laws of Ukraine "On Civil Service", "On Prevention of Corruption".

The information presented in accordance with this paragraph shall be published within three working days after the deadline for submission of applications for the competition on the official website of the Cabinet of Ministers of Ukraine, except for information, which according to the Law of Ukraine "On Prevention of Corruption" is defined as information with restricted access and information regarding contact phone number and email address of the candidate.

9. The Selection Commission shall submit applications for three selected candidates to the position of the Director of the National Bureau to the Prime Minister of Ukraine, who is obliged within five days as from the date of submission thereof by the Selection Commission to submit to the Cabinet of Ministers of Ukraine the proposal as to appointment of one of selected by the Selection Commission candidates to the position of the Director of the National Bureau.

10. The Cabinet of Ministers of Ukraine shall within ten days as from the date of submission by the Prime Minister of Ukraine of an application for the appointment of a candidate to the position of the Director of the National Bureau at the open meeting appoint such person to the position of the Director of the National Bureau.

If the Cabinet of Ministers of Ukraine has not decided to appoint a person nominated by the Prime Minister of Ukraine to the position of the Director of the National Bureau, it shall immediately submit to the Cabinet of Ministers of Ukraine the submissions for three candidates selected by the Selection Commission. In this case, a person appointed to the position of the Director of the National Bureau is considered to be a person whose candidacy was supported by the largest number of members of the Cabinet of Ministers of Ukraine at the open session of the Cabinet of Ministers of Ukraine to be immediately conducted.





# ARTICLE 8

## POWERS OF THE DIRECTOR OF THE NATIONAL BUREAU

1. Director of the National Bureau:

1) is responsible for the activities of the National Bureau, including the legality of operative and detective measures, pre-trial investigations carried out by the Bureau, respect for the rights and freedoms of individuals;

2) organizes the work of the National Bureau, determines duties of the First Deputy Director and Deputy Directors of the National Bureau;

3) coordinates and controls activities of central office and territorial offices of the National Bureau;

4) approves the estimate, structure and personnel list of the central office and territorial offices of the National Bureau;

4-1) determines, in accordance with the law, within the limits of maximum number of employees of the National Bureau, the list of positions to be replaced by senior staff, and maximum special ranks for these positions;

5) issues within his/her competence orders and instructions, which are mandatory for employees of the Bureau;

6) appoints and dismisses the employees of the National Bureau;

7) approves prospective, current and operational plans for the work of the National Bureau;

8) establishes the procedure for registering, processing, storing and disposing in accordance with the laws of information, received by the National Bureau, takes measures to prevent unauthorized access to classified information, and ensures compliance with legislation on access to information held by the National Bureau;

9) determines the procedure to encourage persons who assist in the prevention, detection, suppression and investigation of criminal offenses referred to the investigative jurisdiction of the National Bureau;

10) takes decisions on the promotion and disciplinary action against employees of the National Bureau according to the decision of the Disciplinary Board of the National Bureau;

11) assigns within his/her powers in accordance with legislation to employees of the National Bureau the civil service ranks and special ranks of ranked persons, submits to the President of Ukraine proposals on assigning ranks of civil servants and special ranks to senior ranked persons of the National Bureau;

12) submits, according to the established procedure, proposals to improve legislation on matters within the competence of the National Bureau;

13) represents the National Bureau in relations with state authorities, local self-government bodies, non-governmental organizations and law enforcement agencies and other organizations of foreign states, international organizations, etc.;

14) has the right to attend sessions of the Verkhovna Rada of Ukraine, its committees, temporary and special

temporary investigatory commissions of the parliament, as well as participate in an advisory capacity in meetings of the Cabinet of Ministers of Ukraine;

14-1) raise issues related to the activities of the National Bureau at the sessions of the Cabinet of Ministers of Ukraine, submit to the Cabinet of Ministers of Ukraine draft laws, decrees of the President of Ukraine and the Cabinet of Ministers of Ukraine developed by the National Bureau;

15) ensures openness and transparency of the National Bureau's activity pursuant to this Law, reports on the activities of the National Bureau in the manner prescribed by this Law;

16) authorizes the use of the special fund of operative and investigative actions of the National Bureau;

17) conducts other duties according to this and other laws.

2. The Director of the National Bureau shall be granted an access to state secrecy of all levels of sensitivity ex officio after he/she makes written commitment to keep state secrecy.



# ARTICLE 9

## DIRECTORS OF TERRITORIAL OFFICES OF THE NATIONAL BUREAU

1. Directors of territorial offices of the National Bureau shall be appointed and dismissed by the Director of the National Bureau.

2. Director of the territorial office of the National Bureau shall:

1) organize the work of the relevant territorial office for the implementation of the functions of the National Bureau, execution of orders and directives of the Director of the National Bureau;

3) submit proposals to the Director of the National Bureau regarding awarding ranks of civil servants and special ranks for ranked persons according to legislation to the employees of the relevant territorial office;

4) submit to the Director of the National Bureau proposals on the structure and staffing of the relevant territorial office;

5) submit proposals on bonuses for employees of territorial offices to the Director of the National Bureau;

6) perform other powers provided by legislation.







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# ARTICLE 10

## EMPLOYEES OF THE NATIONAL BUREAU

1. Employees of the National Bureau are declared and undeclared full-time employees from among ranked persons and officers, civil servants and other employees, who are employed under labor agreements at the National Bureau.

Undeclared full-time employees of the National Bureau may be detectives, senior detectives and employees of other units of the National Bureau.

Ranked persons shall be employees of prompt response units, units for protection of participants in the criminal proceedings and protection of the National Bureau's employees according to this Law, operative units and detective units of the National Bureau.

Operative and search activities as well pre-trial investigations under criminal proceedings on crimes related to the National Bureau's jurisdiction in accordance with the current legislation as well as other cases demanded and referred to the National Bureau

by a related prosecutor performing surveillance over compliance with the current legislation under operative and investigative activities as well as pre-trial investigations by employees of the National Bureau shall be implemented by senior detectives and detectives of the National Bureau, as well as operational and technical units and internal control units.

2. Time of service in the National Bureau shall be accounted as insurance record, work record according to the specialty, as well as to the record of civil servant's work in accordance with the law.

3. The Director of the National Bureau shall establish selection commissions holding competitions to fill current vacancies public staff at the National Bureau. The Director of the National Bureau shall include representatives defined by the Public Control Council at the National Bureau as members of selection commissions (no more than

three individuals in a single selection commission).

To hold a competition for the positions of undeclared full-time employees of the National Bureau, the Director of the National Bureau, taking into account the requirements of the Law of Ukraine "On State Secrecy", forms a separate selection commission from among employees of the National Bureau having an access to state secrecy whom the Director of the National Bureau granted an access to information on the candidates for such positions.

The provisions on selection commissions, their rules and regulations shall be defined by the Director of the National Bureau.

An announcement on a competition to fill the current vacancies at the National Bureau shall be published at the National Bureau's official website no later than ten days before the final deadlines for final application submission.

The competition to fill the current vacancies at the National Bureau shall include a qualification test and interview.

4. Appointments of undeclared full-time employees of the National Bureau shall be made in accordance with part five of this Article based on the results of a competition held according to the procedure determined by the Director of the National Bureau, taking into account

the requirements of the Law of Ukraine "On State Secrecy".

5. Citizens of Ukraine who are capable because of their personal, business and moral character, age, educational and professional level and health to effectively perform the relevant duties may be admitted to the service at the National Bureau upon competitive, voluntary, contractual basis. Qualification requirements for proficiency shall be determined by the Director of the National Bureau. Appointments to the positions in the National Bureau shall be made solely on the basis of the results of an open (except for the case provided for in part four of this Article) competition conducted in accordance with the procedure established by the Director of the National Bureau, except for appointments to the positions of the First Deputy Director and Deputy Directors of the National Bureau to be made by the Director of the National Bureau without the need to conduct an open competition.

Before appointment for relevant position at the National Bureau, the candidates shall inform the management of the body in which they will be expected to hold the position about close persons working in such body.

6. Ranked persons are covered by the regulation on service of ranked persons

and officers of the Ministry of Internal Affairs of Ukraine, as well as Disciplinary Statute of the Ministry of Internal Affairs of Ukraine.

7. Labor relations of the Bureau's employees are governed by the labor legislation, legislation on civil service and signed labor agreements (contracts). Specialists of the National Bureau who do not have special ranks are covered by the Law of Ukraine "On Civil Service". Positions of specialists at the National Bureau are referred to the relevant categories of positions of the central office of the ministry, another central executive authority, their territorial office in the manner stipulated by legislation.

8. The National Bureau's employee shall take a mandatory in-service training regularly, but not less than once every two years.

9. Pending debts related to child maintenance payments with the total amount thereof exceeding the amount of related payments for twelve months since demonstration of an executive document on enforcement shall be deemed a ground to dismiss an employee of the National Bureau.

**Note.** The term "close persons" in this Law is used in the meaning given in the Law of Ukraine "On Prevention of Corruption".





# ARTICLE 11

## SPECIAL RANKS OF RANKED PERSONNEL OF THE NATIONAL BUREAU

1. Ranked personnel of the National Bureau shall have the following special ranks:

1) middle-level ranking officers:

Lieutenant of the National Anti-Corruption Bureau of Ukraine;

Senior Lieutenant of the National Anti-Corruption Bureau of Ukraine;

Captain of the National Anti-Corruption Bureau of Ukraine;

2) senior-level ranking officers:

Major of the National Anti-Corruption Bureau of Ukraine;

Lieutenant Colonel of the National Anti-Corruption Bureau of Ukraine;

Colonel of the National Anti-Corruption Bureau of Ukraine.

2. Assignment and deprivation of special ranks, as well as lowering and renovation of special ranks are performed in accordance with procedure stipulated by legislation.

# ARTICLE 12

## OATH OF RANKED PERSONNEL OF THE NATIONAL BUREAU

1. Citizens of Ukraine, who are enrolled for the first time for positions of ranked personnel of the National Bureau and in established cases have undergone determined probation term, shall take the following oath:

““I (name, surname), entering the service of the National Anti-Corruption Bureau of Ukraine, being aware of my great responsibility, swear to stay loyal to the Ukrainian people, strictly abide the Constitution and laws of Ukraine, to respect and protect the rights, freedoms and legitimate interests of human and citizen, honor of the state, to be honest, diligent and disciplined, keep confidential state and other secrets protected by law”.

2. A person of the ranked personnel of the National Bureau shall sign the text of the oath that is stored in her personal file. Procedure for taking oath is determined by the Director of the National Bureau.





# ARTICLE 13

## RESTRICTIONS FOR EMPLOYEES OF THE NATIONAL BUREAU

1. A person cannot be appointed as employee of the National Bureau if he/she:

1) has been declared incapable or whose capacity has been limited by court;

2) has been convicted of committing of a criminal offense, if such record had not been expunged or withdrawn in accordance with the law (except for rehabilitated persons), or who was sanctioned with an administrative penalty for committing an offense related to corruption within the last year, or who was ever convicted of an intentional criminal offense;

3) according to the court decision, was deprived of the right to engage in activities related to performance of state functions or hold relevant positions;

4) has the citizenship of another country;

5) in case of appointment, would be directly subordinated to the person who is his/her close person under the Law of Ukraine "On Prevention of Corruption";

6) did not pass through a special

vetting;

7) did not pass a vetting and he/she has ban established in accordance with Law of Ukraine "On Lustration";

8) did not submit a declaration of an individual authorized to implement the functions of the state or local self-governance in accordance with the Law of Ukraine "On corruption prevention", or in case the Internal Control Department of the National Bureau detects false inputs in the above declaration related to property (assets), income, expenses and financial commitments should their amount (value) exceed 50 minimum subsistence levels set for employable individuals as of January 1 of the current calendar year;

9) did not submit a the declaration on the lack of pending debts related to child maintenance payments with the total amount thereof exceeding the amount of related payments for six months since demonstration of an executive document on enforcement or demonstrated debts as such.

2. Employees of the National Bureau

do not have the right:

1) to be members or participate in the creation or operation of political parties, to organize or participate in strikes;

2) to be attorneys of third parties in the affairs of the National Bureau;

3) use the National Bureau, its employees and assets in the party, group or personal interests.


Employees of the National Bureau are subject to other restrictions and requirements set by the Law of Ukraine «On Prevention of Corruption».

When appointed for the position at the National Bureau, the person shall be notified of the possibility of him undergoing integrity tests and monitoring of his lifestyle.

3. Employees of the National Bureau shall take measures to prevent and resolve conflicts of interest provided for by the Law of Ukraine “On Prevention of Corruption”.

**Note.** The term “conflict of interest” in this article is used within the meaning it has in the Law of Ukraine “On Prevention of Corruption”.





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# ARTICLE 14

## INTERNSHIP OF EMPLOYEES OF THE NATIONAL BUREAU

1. Individuals who have no prior experience in state authorities in positions related to operational activities, pre-trial investigations, after passing the competition to fill the position of the investigator or operative officer are required to take internship at the National Bureau up to one year.

2. The procedure of internship at the National Bureau is established by the regulations, approved by the Director of the National Bureau.

3. National Bureau employee may be dismissed based on the results of the internship, if he/she does not meet the requirements that apply to employees of the Bureau.

# ARTICLE 15

## SECONDMENT OF OFFICIALS TO THE NATIONAL BUREAU AND SECONDMENT OF EMPLOYEES OF THE NATIONAL BUREAU TO OTHER AUTHORITIES


1. Civil servants of other state authorities, institutions, organizations may be seconded to the National Bureau, while staying at the service of the relevant authority or by transferring them to the staff of the National Bureau, in order to perform duties that require special knowledge and skills.

2. Employees of the National Bureau may be seconded to state authorities, institutions and organizations to carry out tasks defined by this Law, while staying at the staff of the National Bureau.

3. Procedure for assignment to the National Bureau of employees of state authorities, institutions, organizations, and a list of positions that can be substituted in these state authorities, institutions and organizations with employees of the National Bureau shall be determined in accordance with legislation.







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# ARTICLE 16

## DUTIES OF THE NATIONAL BUREAU

### 1. The National Bureau:

1) carries out operative and detective measures for the prevention, detection, suppression and investigation of criminal offenses referred by law to its investigative jurisdiction as well as operative and search cases demanded and obtained from other law enforcement agencies;

2) conducts pre-trial investigation of criminal offenses referred by law to its investigative jurisdiction, and conducts pre-trial investigation of other criminal offenses in cases specified by law;

3) takes measures to trace and seize funds and other assets that may be subject to forfeiture or special forfeiture in criminal offenses referred to the investigative jurisdiction of the National Bureau, conducts activities on preserving of assets and other property that was seized;

4) cooperates with other state agencies, local self-government bodies and others in order to perform its duties;

5) carries out informational and analytical work with a purpose of identifying and eliminating the causes and conditions that contribute to the commission of the criminal offenses referred to the investigative jurisdiction of the National Bureau;

6) ensures personal safety of its employees and other persons specified by law, protection against unlawful acts against persons involved in criminal proceedings, in criminal offenses related to its investigative jurisdiction;

7) ensures a confidential and voluntary cooperation of individuals who report corruption offenses;

8) reports on its activities in accordance with the procedure established by this Law and informs the public about the results of its work;

9) carries out international cooperation and interaction within its competence in accordance with the legislation and international treaties of Ukraine;

10) takes measures to identify unsubstantiated assets and collect evidence of lack of their substantiation, sends to Specialized Anti-Corruption Prosecutor's Office the materials to resolve the issue of filing a claim for recognition of assets as unsubstantiated and recovery thereof as state revenue;

11) collects and sends to Specialized Anti-Corruption Prosecutor's Office the materials to resolve the issue of filing a claim to invalidate the agreements in cases provided for by the law of Ukraine.

# ARTICLE 17

## RIGHTS OF THE NATIONAL BUREAU

1. National Bureau and its employees in order to perform their duties have the following rights:

1) to start the operative and detective cases based on order, approved by the appropriate department head of the National Bureau, and carry out, on the grounds and according to the procedure established by law, overt and covert operative and detective actions;

2) to obtain in the prescribed manner through the prosecutor from the law enforcement agencies operative materials and materials of criminal proceedings concerning criminal offenses referred by law to the investigative jurisdiction of the National Bureau and other criminal offences beyond its jurisdiction but those that can be used to prevent, detect and investigate criminal offences under its jurisdiction from other law enforcement agencies in accordance with a related decision rendered by the Director of the National Agency and endorsed by a related prosecutor, or identifying unreasonable assets and collecting evidence of their unreasonableness;

3) to obtain in the prescribed manner by the decision of the Director of the National Bureau from law enforcement and other state agencies, local self-government bodies, enterprises, institutions, organizations, the information necessary to perform duties of the National Bureau, including information on assets, income, expenses, financial obligations of officials that they declared in accordance with the law, information on the use of State Budget funds, management of state or municipal property and also to receive free of charge information on matters within the competence of the National Bureau from automated information and records systems, registers and data banks, held (administrated) by state agencies or local self-government bodies

Agencies a request concerned is addressed to shall provide relevant information within three working days. Should it be impossible to provide the above information, an agency/individual concerned shall notify the National Bureau thereof in writing without delay while providing the proper justification





of the above (in case of failure to provide information within the specified period for justifiable reasons). The National Bureau may extend the deadline for providing information for a term non-exceeding two calendar days upon application of the agency. A failure to provide information officially requested by the National Bureau, provision of deliberately false or incomplete information, violations of related provision deadlines specified by the current legislation and notification of third parties mentioned within the information requested shall be prohibited and result in liability in accordance with the current legislation.

In accordance with the procedure set forth by the current legislation, the National Bureau shall have direct, including automated, access to automated information and reference systems, data registries and banks maintained (administered) by public administrations or local self-governance bodies as well as use state, including governmental, communication tools, special communication networks and other technical means

The use of this information by the National Bureau is conducted in compliance with the legislation on protection of personal data;

4) to get familiar in state authorities, local self-government bodies with documents and other materials

necessary for the prevention, detection, termination and investigation of criminal offenses referred by law to the investigative jurisdiction of the National Bureau, or identifying unreasonable assets and collecting evidence of their unreasonableness, including those that contain classified information;

5) upon the relevant court decision and written request of the Director of the National Bureau or his/her deputy to receive from banks, financial and other institutions, enterprises and organizations regardless of ownership information and documents on the operations, accounts, deposits, agreements of individuals and legal entities. Receiving of information containing bank secrecy from the banks shall be conducted according to the procedure and to the extent determined by law. Receiving of information from the Central Securities Depository, the National Bank of Ukraine and depository institutions, contained in the depository account of the securities system, is made in the manner and to the extent prescribed by the Law of Ukraine "On the Depository System of Ukraine". Subjects to whom these requests are addressed shall provide relevant information and/or documents within three working days. The National Bureau may extend the deadline for providing information for a term non-exceeding two calendar days in case of failure to provide information

within the specified period for justifiable reasons upon application of the agency;

6) upon relevant court decision for the period up to 10 days to seal records, offices, premises (except residential) or other repositories, take under protection, and also seize objects and documents in the manner prescribed by the Criminal Procedural Code of Ukraine;

7) to engage on a voluntary basis, including on a contract basis on the issues of international cooperation, qualified professionals and experts from any institution, organization, control and financial authorities to ensure execution of the National Service's duties;

8) upon the written decision of the Director of the National Bureau or his Deputy approved by the prosecutor, to set up joint investigation teams that include operational and investigative personnel;

9) to enter freely the state agencies, local self-government bodies, and customs control zone, upon the written decision of the Director of the National Bureau or his Deputy to enter freely military units and checkpoints across the state border of Ukraine upon demonstration of a personal

10) to use with subsequent compensation vehicles that belong to individuals and legal entities (except the vehicles of diplomatic, consular and other representatives of foreign states and organizations, special purpose vehicles) to travel to the scene of crime,

to terminate the criminal offense, to follow and detain persons suspected of committing these criminal offenses, bringing to medical institutions of persons that require emergency medical care;

11) to send to the state bodies, local self-government authorities proposals and recommendations that are mandatory for consideration which address the causes and conditions that contribute to the commission of the criminal offenses referred to the investigative jurisdiction of the National Bureau, and receive from these authorities information about the outcome of such consideration within 30 days;

12) to cooperate with individuals, including on contractual basis, on voluntary and confidential basis, to encourage financially and morally persons who assist in the prevention, detection, suppression and investigation of criminal offenses.

Control over the effectiveness of the use of funds for these purposes shall be performed by the Accounting Chamber of Ukraine;

13-1) to submit an application to the prosecutor for invalidation of a legal deed on the grounds provided by the law, as well as the right to be involved in such cases as third party who does not make independent claims on the matter in dispute;

14) for the purposes of operational and detective activity to create information,



**Name of Defendant**  
Defendant's full name (as it appears on the document)  
Name of Defendant: [ ]

**Address of Defendant**  
Defendant's full address (as it appears on the document)  
Address of Defendant: [ ]

**Place of Business**  
Defendant's place of business (as it appears on the document)  
Place of Business: [ ]

**Claim Form: Notes for Defendant (Form N10) and amended Proceedings Pack (Form N10)**  
N10, N10A, N10B, N10C, N10D, N10E, N10F, N10G, N10H, N10I, N10J, N10K, N10L, N10M, N10N, N10O, N10P, N10Q, N10R, N10S, N10T, N10U, N10V, N10W, N10X, N10Y, N10Z

**Give the address where service effects, include fax or e-mail address if you have one, or other electronic communication.**  
[ ]

**Being the**  
☐ Defendant  
☐ Claimant  
☐ Third Party  
☐ Other

**Give the address where service effects, include fax or e-mail address if you have one, or other electronic communication.**  
[ ]

**Give the address where service effects, include fax or e-mail address if you have one, or other electronic communication.**  
[ ]



telecom-munication systems and maintain operational records to the extent and in the manner provided by the law;

15) to keep, carry and use firearms and special equipment and apply physical force in cases and in the manner provided by the Law of Ukraine "On the National Police";

16) to give in accordance with the legislation weapons, special personal protective equipment and warning devices to the persons taken under protection when there is a danger to their life and health;

17) to conduct legal cooperation with the competent authorities of foreign states and international organizations on the operational and detective activity, pre-trial investigation, detection of unjustified assets and collection of evidence of their inconsistency on the basis of laws and international treaties of Ukraine;

17-1) to acquire materials received (provided) under international legal assistance and related to financial and corruption criminal offences from Ukrainian prosecution agencies and the Ministry of Justice of Ukraine as an official certificate in no later than three days;

18) to act as a representative of the state during consideration in the foreign jurisdictional bodies of requests for tracing, seizing, forfeiture and recovery to Ukraine of appropriate assets, protection of rights and interests of the state in matters

relating to the duties of the National Bureau, and involve legal counsels with this purpose, including foreign;

19) to raise an issue on ensuring special conditions (including classification of stay, implementation of security measures, placement at separate premises, etc.) at preliminary detention cells and facilities for individuals cooperating with the National Bureau.

20) to install equipment required by the National Bureau to take measures to remove information from transport telecommunication networks in the manner prescribed by the Criminal Procedure Code of Ukraine.

2. The National Bureau may on behalf of Ukraine give international instructions on conducting operative and search, investigative actions, conclude cooperation agreements with foreign and international law enforcement agencies and organizations on issues within its powers, to apply on behalf of Ukraine to foreign government agencies in accordance with legislation of Ukraine and procedures of relevant countries, and so on.

3. The National Bureau may establish and participate in the international investigative groups according to this Law and other laws and international treaties of Ukraine, involve foreign experts to the work on fight against corruption, have other functions related to the execution of its duties.

# ARTICLE 18

## THE USE OF PHYSICAL FORCE, SPECIAL MEANS AND FIREARMS

1. Employees of the National Bureau have the right to use physical force, special means and firearms while on duty in cases, according to conditions and in order provided for in the Law of Ukraine “On the National Police”.







# ARTICLE 19

## STATEMENTS AND REPORTS OF CRIMINAL OFFENSES

1. For receiving statements and reports of criminal offenses, or unjustified assets, including anonymous, a special telephone line shall be created in the National Bureau, and the possibility of submitting such reports via the official web site of the National Bureau in the internet and by electronic means shall be provided.

2. Anonymous statements and reports of criminal offenses or unjustified assets shall be considered by the National Bureau provided that the relevant information relates to a particular person and contains the actual data and can be verified.

3. The procedure of registration, recording and processing of statements and reports of criminal offenses ascribed to the jurisdiction of the National Bureau, or unjustified assets shall be determined by the Director of the National Bureau.

# ARTICLE 19-1

## INTERACTION OF THE NATIONAL BUREAU WITH INTERNAL AFFAIR AGENCIES, THE SECURITY SERVICE OF UKRAINE AND OTHER LAW ENFORCEMENT AGENCIES

1. In order to ensure interaction of the National Bureau with internal affair agencies, the Security Service of Ukraine and other law enforcement agencies, staffing tables of the above agencies shall include positions for individuals assigned to interaction with the National Bureau.

2. Exchange of information on joint activities between the National Bureau, internal affair agencies, the Security Service of Ukraine and other law enforcement agencies shall be implemented on a written assignment issued by heads of related units.

3. Terms and procedures of information

exchange between the National Bureau, internal affair agencies, the Security Service of Ukraine and agencies legally authorized to perform pre-trial investigations shall be regulated by a joint legal and regulatory act issued by the National Bureau and related agencies.

4. The National Bureau may provide operative information for internal affairs agencies, the Security Service of Ukraine and agencies legally authorized to perform pre-trial investigations only on a written assignment rendered by the head of a related unit of the National Agency.





# ARTICLE 19-2

## INTERACTION OF THE NATIONAL BUREAU WITH OTHER PUBLIC ADMINISTRATIONS

1. The National Bureau shall interact with the National Bank of Ukraine, State Property Fund of Ukraine, Anti-Monopoly Committee of Ukraine, National Agency on Corruption Prevention of Ukraine, bodies and agencies of the State Border Guard Service of Ukraine, bodies and agencies of the tax and customs services, the central executive body implementing the state policy in the field of anti-money laundering, combating of terrorist financing and the financing of proliferation of weapons of mass destruction (hereinafter also referred to as “the specially authorized executive body in the field of financial monitoring”) and other public administrations.

The National Bureau may enter agreements (memoranda) on co-operation and information exchange with specific public administrations.

2. The National Bank of Ukraine, State Property Fund of Ukraine, Anti-Monopoly Committee of Ukraine,

Ukrainian state financial control agency, National Agency on Corruption Prevention of Ukraine and other public administrations implementing state control over compliance with the current Ukrainian legislation by individuals and legal entities in order to prevent and combat criminal offences related to the National Bureau’s jurisdiction shall:

1) provide the National Bureau with inputs acquired on receipt, control and analysis of information which might prove available criminal violations or be used to prevent, detect, cease and investigate criminal offences related to the National Bureau’s jurisdiction in accordance with the current legislation;

2) implement related revisions, verifications and other control activities regarding compliance with the current Ukrainian legislation by individuals and legal entities on request of the National Agency and in accordance with their mandate.

# ARTICLE 20

## RESPONSIBILITY OF EMPLOYEES OF THE NATIONAL BUREAU

1. The National Bureau employees independently make decisions within their authority. They shall refuse to execute any orders, instructions or directives that contradict the legislation and take other measures as required by law in such cases.

2. The National Bureau employees are liable to disciplinary, civil, administrative or criminal liability.

3. In case of violation of rights or freedoms of persons by the employees of the National Bureau while performing their official duties, the National Bureau takes within its competence measures for renovation of these rights and freedoms, redress for material and moral damages, bringing guilty persons to legal liability.





# ARTICLE 21

## LEGAL PROTECTION OF THE EMPLOYEES OF THE NATIONAL BUREAU AND OTHER PERSONS

1. The employees of the National Bureau during performance of their duties represent the public authority, act on behalf of the state and are under its protection. No one, except for authorized public officials in cases determined by law, has a right to interfere in their legitimate activities. In order to ensure the personal safety of employees of the National Bureau and members of their families it is prohibited to disclose in the media information about the place of residence of such persons. Information about the service of employees of the National Bureau shall be disclosed upon the permission of the Director of the National Bureau or his deputy.

2. In case of detention of the employee of the National Bureau or choosing of custody as a preventive measure, he/she shall be kept separately from the other detained persons.

3. People who voluntarily, including on a contractual basis, provide assistance to the National Bureau in execution of its duties are under the protection of the state. Unlawful disclosure of information about such persons or committing other offenses against these persons in connection with his/her relations with the National Bureau shall entail liability under law.

4. Employee of the National Bureau who according to this Law has reported on the wrongful act or inactivity of other employee of the National Bureau, cannot be dismissed or forced to resign, brought to liability or prosecuted for such reporting, except for liability for filing a knowingly false report of a criminal offense. Officials of the National Bureau are forbidden to disclose information about the National Bureau's employees who have reported on the violations.

# ARTICLE 22

## SOCIAL PROTECTION OF EMPLOYEES OF THE NATIONAL BUREAU

1. The State shall ensure the social protection of employees of the National Bureau under the Constitution of Ukraine, this Law and other legislative acts.

2. The ranking personnel of the National Bureau upon dismissal from service due to age, after the expiration of the agreement (contract), for health reasons, due to redundancy or organizational measures in the event of inability to be employed receive monetary benefits paid at 50 percent of monthly size pay (remuneration) for each full calendar year of service. The National Bureau ranking personnel dismissed from service through family reasons or for other valid reasons as listed by the Cabinet of Ministers of Ukraine shall be paid financial assistance in the amount of 25 percent of the monthly wage (remuneration) for each full calendar year of service. Financial assistance is not paid to the National Bureau ranking personnel dismissed from work for incompetency, in connection with court conviction that came into effect.

The ranking personnel and employees of the National Bureau shall be covered

by mandatory state social insurance in accordance with the current legislation on general mandatory state social insurance.

3. In case of loss of life (death) of the National Bureau ranking personnel or employee of the National Bureau while on duty the family of the deceased (perished) and, in case of non-availability, their parents and dependents are paid a lump sum monetary allowance at the rate of ten-year wage (remuneration) of the deceased (perished) at the last occupied position in the manner and on the terms established by the Cabinet of Ministers of Ukraine.

6. The damage caused to the property of the National Bureau's employee or property of his/her family members in connection with performance of his/her duties shall be reimbursed in full amount from the State budget of Ukraine with the following compensation sought from the guilty persons according to the procedure established by law.

7. Other aspects of social protection of civil servants and other employees of the National Bureau are regulated by labor and civil service legislation.





# ARTICLE 23

## REMUNERATION OF EMPLOYEES OF THE NATIONAL BUREAU

1. Remuneration of the National Bureau's ranking personnel and civil servants shall ensure sufficient material conditions for proper performance of their duties taking into account the nature, intensity and danger of work, ensure recruitment and work of qualified staff in the National Bureau, encourage achievement of high performance results, compensate for the physical and mental efforts of the employees.

2. Ranking personnel of the National Bureau are covered by the conditions provided for officers of internal affairs authorities, considering peculiarities set out in this Law. Size of salaries of ranking personnel of the National Bureau shall not be less than remuneration of employees of the National Bureau referred to the appropriate categories of civil service.

3. Remuneration of the National Bureau's employees consists of:

- 1) basic salary;
- 2) additional payment for work experience;
- 3) additional payment for science degree;

4) additional payment for work, which provides for access to the state secret;

5) additional payment for special rank or civil servant rank.

4. The following remuneration rates shall be set for employees of the National Bureau in accordance with the amount of the minimum subsistence level approved for employable individuals as of January 1 of the current calendar year:

Director of the National Bureau — 50;

First Deputy, Deputy Director of the National Bureau — 40;

Director of the Central Office or a territorial office of the National Bureau, the head of the Internal Control Department at the Central Office of the National Bureau, the head of a detective division — 30;

Deputy Director of the Central Office or a territorial office of the National Bureau, the deputy head of the Internal Control Department at the Central Office of the National Bureau, the deputy head of a detective division — 28;

Head of a department at the Central Office of the National Bureau, the head of the Internal Control Unit at a territorial

office of the National Bureau — 22;

Deputy head of a department at the Central Office of the National Bureau, the deputy head of the Internal Control Unit at a territorial office of the National Bureau — 21;

Head of a unit at the Central Office of the National Bureau — 20;

Deputy Head of a unit at the Central Office of the National Bureau — 19;

Head of a unit at the territorial office of the National Bureau — 18;

Deputy Head of a unit at the territorial office of the National Bureau — 17;

Senior detective of the National Bureau — 22;

Detective of the National Bureau — 19;

Other employees of the National Bureau — the amount equivalent to 3 remuneration rates set by the Cabinet of Ministers of Ukraine for employees appointed to related positions at central executive bodies.

5. Remuneration rates for related employees of the Central Office of the National Bureau and a territorial office of the National Bureau located in the city of Kyiv shall be set at the 1,2 coefficient.

Remuneration rates for employees of the National Bureau on probation shall be set at the 1,5 reduction coefficient.

6. Employees of the National Bureau shall be paid a monthly bonus based on the term of their professional expertise: up to 5 years of professional expertise — 15% of the set remuneration rate, more than 5 years of professional expertise —

20% of the set remuneration rate, more than 10 years of professional expertise — 30% of the set remuneration rate, more than 15 years of professional expertise — 40% of the set remuneration rate, more than 20 years of professional expertise — 50% of the set remuneration rate, more than 25 years of professional expertise — 60% of the set remuneration rate, more than 30 years of professional expertise — 70% of the set remuneration rate, more than 35 years of professional expertise — 80% of the set remuneration rate.

7. Employees of the National Bureau shall be paid a monthly bonus based on the available PhD degree (candidate of sciences) or Doctor of Science degree under a related field in the amount of 15% and 20% of the set remuneration rate, respectively.

8. Employees of the National Bureau shall be paid a monthly bonus based on the access to state secrets, depending on the level of classified information: inputs and data carriers of “significant importance” or “top secret” level — 10% of the set remuneration rate; inputs and data carriers of “secret” level — 5% of the set remuneration rate.

9. Additional payments for the work experience and for civil servant rank should be paid to the National Bureau's employees according to the Law of Ukraine “On the Civil Service” (Bonuses for special degrees and ranks of a civil servant shall be paid in accordance with the current legislation).

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# ARTICLE 24

## FINANCING OF THE NATIONAL BUREAU

1. The National Bureau is financed from the State Budget of Ukraine. Financing of the National Bureau through any other source is prohibited, except as provided for by international agreements of Ukraine or technical assistance projects.

2. The full and timely financing of the National Bureau is guaranteed in the amount sufficient for carrying out its appropriate activities.

3 Budget of the National Bureau shall provide for creation of a fund for special operative-detective (covert investigative) measures.

# ARTICLE 25

## MATERIAL AND TECHNICAL SUPPORT OF THE NATIONAL BUREAU

1. The National Bureau shall be provided with the necessary material means, technical devices, equipment and other assets to enable it to perform its functions.

2. It is forbidden to carry out material and technical provision of the National Bureau from the funds of local budgets or any other sources, except for the State budget funds and assistance provided within international technical assistance projects.





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ЗВІТ

# ARTICLE 26

## CONTROL OVER ACTIVITY OF THE NATIONAL BUREAU AND ITS ACCOUNTABILITY

1. Control over activity of the National Bureau is conducted by the Verkhovna Rada Committee tasked with issues of fighting corruption and organized crime in accordance with the Constitution of Ukraine, laws of Ukraine “On the Democratic Civil Control over Military Organization and Law Enforcement Bodies of the State”, this and other laws of Ukraine.

2. Director of the National Bureau:

1) informs the President of Ukraine, Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine about the main issues related to activity of the National Bureau and its units, on execution of the National Bureau’s tasks, compliance with legislation, respect for rights and freedoms of persons;

2) annually, not later than by 10 February and by 10 August, submits to the President of Ukraine, Verkhovna Rada of Ukraine and the Cabinet of

Ministers of Ukraine a written report on activity of the National Bureau during previous six months.

3. Written report on activity of the National Bureau shall contain information about:

1) statistical data on the results of activities, with obligatory indication of the following data:

number of registered applications and reports on criminal offences regarding crimes within investigative jurisdiction of the National Bureau;

number of operative and detective cases opened by the National Bureau and their outcomes;

number of persons indicted in crimes within investigative jurisdiction of the National Bureau;

number of persons for whom a court conviction regarding their criminal offense within investigative jurisdiction of the National Bureau came into force;

number of persons acquitted in cases regarding committing of criminal offences that are within investigative jurisdiction of the National Bureau;

information by categories of persons referred to in paragraph 1 of Article 3 of the Law of Ukraine "On Prevention of Corruption";

information on the amount of losses and damage caused by criminal offenses within the investigative jurisdiction of the National Bureau; current situation and amount of their reimbursement;

information on the funds and other property obtained as a result of committing criminal offenses within investigative jurisdiction of the National Bureau, forfeited by the court's decision, as well as funds in the amount of illicit services or benefits collected and payable to the state and their administration;

information on the funds and other property obtained as a result of the criminal offenses within the National Bureau's investigative jurisdiction that were returned to Ukraine from abroad and their disposal;

information about seizure of property, forfeiture of items and the proceeds of crimes within the investigative jurisdiction of the National Bureau, and their preservation;

the number of submissions on elimination of causes and conditions that contributed to commission of the criminal corruption offenses;

results of conducted integrity tests;

the value of identified assets having signs of lack of substantiation, an amount of the materials sent to the prosecutor's office to resolve the issue of filing a claim for recognition the assets as unsubstantiated and recovery thereof as state revenue, the results of examination thereof by the prosecutor's office and the court, including the value of unsubstantiated assets recovered as state revenue;

2) Information on cooperation with other state authorities, local self-government bodies, enterprises, institutions and organizations;

3) Information on cooperation with competent authorities of foreign states, international and foreign organizations, agreements on cooperation signed with them and representation of interests abroad;

4) Cooperation with non-governmental organizations and the media;

5) The National Bureau's number of staff, qualification and experience of its employees, their in-service training;

6) Activities of internal control unit of the National Bureau; the number of reports of offenses perpetrated by National Bureau employees; outcomes of their investigation, bringing the National Bureau personnel to liability;

7) The National Bureau's budget and its implementation;

8) Other information concerning



# НАШІ ІНІЦІАТИВИ ПРО КОРУПЦІЮ, ЩО ДОСЛІДУЮТЬ НАБУ ТА САП\*

ІНІЦІАТИВА

10+  
щодо досліджень

10+  
щодо досліджень

10+  
щодо досліджень

10+  
щодо досліджень

10+  
щодо досліджень

10+  
щодо досліджень

ІНІЦІАТИВА

10+  
щодо досліджень

10+  
щодо досліджень

**76+**  
млн грн  
збитків  
встановлено  
(у справах,  
скерованих  
до суду)

2011-2013 роки  
період виконання  
злочинів

ст. 364, ст. 364,  
ст. 371 КК України  
інформаційні  
злочини

**88,5+**  
млн грн  
збитків  
встановлено  
(у справах,  
скерованих  
до суду)

2014-2016 роки  
період виконання  
злочинів

ст. 364, ст. 364,  
ст. 371 КК України  
інформаційні  
злочини

results of the National Bureau's operation and performance of the duties ascribed to it.

4. The report of the National Bureau shall be provided for consideration to the Council of Public Control at the National Bureau, which considers it within two weeks from the date of submission. The report of the National Bureau shall be submitted to the appropriate state authorities and made public together with the Council of Public Control's opinion in case of its approval within the prescribed term.

5. The Verkhovna Rada's committee dealing with anti-corruption issues at least once a year conducts open-for-the-public hearings on the topic of activity of the National Bureau, execution of its tasks, compliance with legislation, respect for rights and freedoms of persons.

7. An external independent assessment (audit) of the National Bureau's performance shall be conducted on an annual basis.

The assessment referred to in the first paragraph of this Part shall be conducted by the External Independent Assessment (Audit) Commission of the National Bureau (hereinafter referred to as the Assessment Commission) consisting of three persons appointed by the Cabinet of Ministers of Ukraine on the basis of the proposals of international and foreign organizations, which in accordance

with international or intergovernmental agreements within the last three years prior to assessment had been providing an international technical assistance to Ukraine in the field of preventing and combating corruption.

The determination of international and foreign organizations and their submission of the proposals as to the candidates to the Assessment Commission shall be made in accordance with part three of Article 7 of this Law.

The decision on the formation of the Assessment Commission shall be adopted by the Cabinet of Ministers of Ukraine no later than thirty calendar days prior to expiration of a one-year period as from the date of approval of the last external independent assessment (audit) report of the National Bureau.

The Assessment Commission shall approve and publish the criteria and methodology for assessment of the National Bureau's performance.

Members of the Assessment Commission may be persons having at least five-year experience in the pre-trial investigation bodies, prosecutor's offices, courts abroad or in the international organizations, have necessary knowledge and skills to conduct an assessment (audit), as well as impeccable business reputation.

Persons referred to in paragraphs 1-3 of the first part of Article 13 of this Law and persons authorized to perform

functions of the state or local self-government in accordance with the Law of Ukraine "On Prevention of Corruption" may not be members of the Assessment Commission.

Members of the Assessment Commission shall act independently and must not perform any assignments or instructions given issued by any person.

To implement an assessment (audit), members of the Assessment Commission shall have the right to:

- access materials of a criminal proceeding in which the pre-trial investigation was conducted by the National Bureau and has been completed, other information (documents) in the possession of the National Bureau, subject to restrictions provided by the Law of Ukraine "On State Secrecy";

- hold confidential interviews with employees of the National Bureau, prosecutors of the Specialized Anti-Corruption Prosecutor's Office, employees of other public and law enforcement agencies, as well as other persons possessing information (documents) necessary to conduct an assessment (audit) in compliance with the Law of Ukraine "On State Secrecy";

- apply to public authorities, any individuals or legal entities with a request for explanations, documents or information necessary to conduct an assessment;

- use the assistants. Assistants shall be obliged to ensure the protection and non-disclosure of personal data, restricted information, which became known to them in connection with the performance of their duties.

Members of the Assessment Commission shall be obliged not to disclose information of the pre-trial investigation and may not interfere with the implementation of a pre-trial investigation.

An opinion rendered under the independent external assessment (audit) of the National Bureau's performance is considered approved if all members of the Assessment Commission voted for it.

An opinion rendered under the independent external assessment (audit) of the National Bureau's performance shall be published on the official website of the Cabinet of Ministers of Ukraine within five days of approval thereof, included as an appendix to the written report of the National Bureau and heard by the Verkhovna Rada.

Organizational and technical support of the Assessment Commission is provided by the Secretariat of the Cabinet of Ministers of Ukraine. Funding of the activities of the Assessment Commission and its members may be provided through the involvement of international technical assistance.

# РЕЗУЛЬТАТИ РОЗСЛІДУВАНЬ



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# ARTICLE 27

## INTERNAL CONTROL UNITS OF THE NATIONAL BUREAU

1. With a view to preventing and detecting offences of the National Bureau's employees, units of internal control shall be established within the National Bureau and subordinated directly to the National Bureau's Head. Internal control units function within the Central Office and territorial offices of the National Bureau.

Head and employees of the internal control units of the Central Office and territorial offices of the National Bureau are appointed and dismissed by the National Bureau's Head.

2. The internal control unit of the National Bureau has the following duties:

1) to prevent commission of offences by the National Bureau's employees according to the laws of Ukraine "On Prevention of Corruption" and "On the Civil Service";

2) to control compliance by the National Bureau's employees with the rules of ethical behavior, conflict of interest, declaring of assets, income, expenditures and financial obligations;

3) to conduct of integrity testing of the National Bureau's employees and

monitoring of their lifestyle;

4) to verify information contained in complaints of natural and legal persons, mass media reports, other sources, in particular information received through a special telephone line, internet webpage, electronic communication means of the National Bureau, regarding involvement of the National Bureau's employees in commission of offences;

5) to conduct internal investigations regarding the National Bureau's employees;

5-1) to implement operative and search activities as well as pre-trial investigations to prevent, detect, cease and solve criminal offences committed by employees of the National Bureau;

6) to conduct special vetting of the candidates for positions in the National Bureau;

7) to take measures on protection of the National Bureau's employees who inform of illegal action or inaction of other employees of the National Bureau;

8) to advise employees of the National Bureau regarding the rules of ethical behaviour, conflict of interest, declaring

of property, income, expenditures and financial obligations.

3. The National Bureau's employee who found out about illegal actions or inaction of another employee of the National Bureau is obliged to immediately notify of it the National Bureau's Head and the National Bureau's internal control unit.

4. The internal control unit of the National Bureau's Central Office shall publish on the official web-site of the National Bureau the declarations of assets, income, expenditures and financial obligations which were submitted in accordance with the law by National Bureau's Head and Deputy Heads, Heads and deputy Heads of the territorial offices, Head of the Central Office, heads of departments in the Central Office and in the territorial offices of the National Bureau.

Data referred to classified information pursuant to the Law of Ukraine "On prevention of corruption". Shall not be disclosed.

5. If information is discovered about alleged crime committed by the National Bureau's employee the internal control unit of the National Bureau shall immediately notify the Prosecutor General of Ukraine or his/her Deputy.

6. Procedure of activities and powers of the internal control units of the National Bureau are defined by the regulations to be adopted by the Director of the National Bureau.





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КОДЕКС ПРОФЕСІЙНОЇ ЕТИКИ  
ПРАЦІВНИКІВ  
НАЦІОНАЛЬНОГО  
АНТИКОРУПЦІЙНОГО  
БЮРО УКРАЇНИ

# ARTICLE 28

## DISCIPLINARY LIABILITY OF THE EMPLOYEES AND DISCIPLINARY BOARD OF THE NATIONAL BUREAU

1. A Disciplinary Board consisting of five persons is formed to consider issues of applying disciplinary measures against the National Bureau's employees. The Disciplinary Board includes two persons determined by the Council of Public Control at the National Bureau.

Composition and regulations on the Disciplinary Board of the National Bureau are approved by the Director of the National Bureau.

2. Based on official investigation conducted by the internal control unit, the Disciplinary Board draws a conclusion as to whether a disciplinary misconduct was revealed and the grounds for bringing an employee to disciplinary liability with identification of the type of recommended disciplinary penalty.

3. Decision on applying a disciplinary sanction based on the conclusion of the National Bureau's Disciplinary Board is taken by the Director of the National Bureau. This decision may be appealed in court.

4. The grounds to bring an employee of the National Bureau to disciplinary liability shall include the following:

1) a failure to perform or improper performance of official duties;

2) illicit disclosure of restricted information acquired by an employee under his/her official duties;

3) violation of a legally set declaration submission procedure and deadlines for an individual authorized to implement the function of the state or local self-governance;

4) public statements violating the presumption of innocence;

5) negative results of an integrity verification or life style monitoring of an employee;

6) other grounds provided by the Law of Ukraine "On civil service" for employees of the National Bureau appointed as civil servants or the Disciplinary Charter of internal affairs agencies of Ukraine for employees of the National Bureau appointed to leadership positions.

# ARTICLE 29

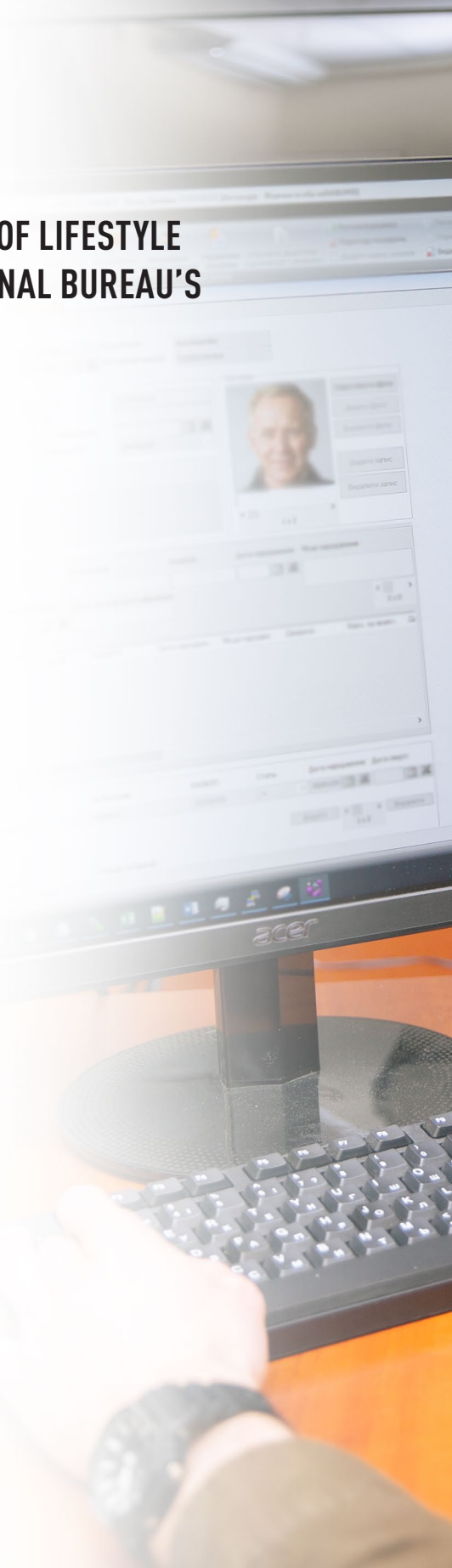
## MONITORING OF LIFESTYLE OF THE NATIONAL BUREAU'S EMPLOYEES

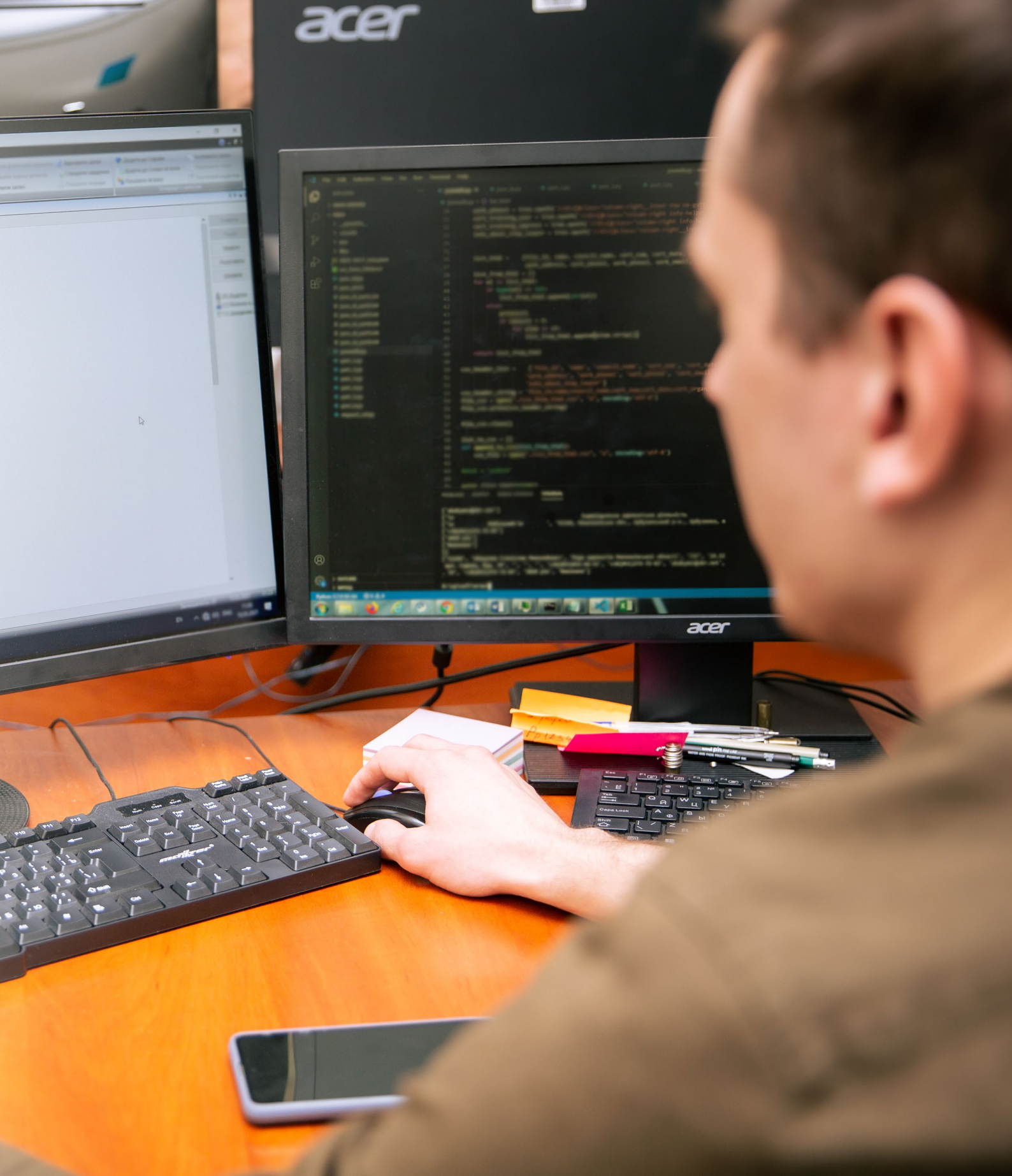
1. The internal control units conduct monitoring of lifestyle of the National Bureau's employees with the purpose of establishing the consistency of the level of life of the employee with assets and income of the employee and his/her family members according to the declaration of assets, income, expenditures and financial obligations, submitted by him/her according to the law.

2. The procedure for monitoring lifestyle of the National Bureau's employees is defined by the Director of the National Bureau.

Lifestyle monitoring is conducted in accordance with the legislation on protection of personal data and should not include excessive interference with the right to respect for private and family life of a person.

3. Establishing a mismatch between the level of life of the employee of the National Bureau and the assets and incomes of the employee and his/her family members is a ground for disciplinary action.







# ARTICLE 30

## ENSURING TRANSPARENCY IN THE ACTIVITIES OF THE NATIONAL BUREAU

1. The National Bureau shall regularly inform the public about its activities through the mass media, its official website and other forms. The National Bureau publishes and provides information in response to requests according to the procedure determined by the Law of Ukraine “On Access to Public Information”.

2. The National Bureau prepares and publishes, not later than by 10 February and 10 August, in national printed media and at on its own official website a report on its activity during previous six months, which was submitted to the President of Ukraine, Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine.

3. It is forbidden to restrict access to information concerning the overall budget of the National Bureau, its competence, main directions of its activity, and information concerning bringing to liability for committing of offences by the National Bureau’s employees.

# ARTICLE 31

## COUNCIL OF PUBLIC CONTROL AT THE NATIONAL BUREAU

1. In order to ensure transparency and public control over activities of the National Bureau, the Council of Public Control is established at the National Bureau consisting of 15 members based on an open and transparent competition to be conducted by an online rat-ing voting of citizens residing in Ukraine.

The Regulation on the Council of Public Control at the National Bureau and on the pro-cedure for the formation thereof shall be ap-proved by the Cabinet of Ministers of Ukraine

The Council of Public Control at the National Bureau may not include:

- 1) persons authorized to perform state or local self-government functions;
- 2) persons, who regardless of the length of service, were employed by the National

Bureau or other law enforcement agencies over the last two years;

- 3) persons whose close persons, regardless of the length of service, served as the National Bureau employees or other law enforcement agencies over the past two years.

3. The Council of Public Control at the National Bureau:

- 1) considers information on activities, implementation of plans and objectives of the National Bureau;
- 2) considers reports of the National Bureau and adopts its opinion on them;
- 3) elects two representatives out of its members to be included in the Disciplinary Board of the National Bureau;
- 4) has other rights according to the Council of Public Control Regulations.



РҚ.

3 повагою

Директор



# ARTICLE 32

## SEAL OF THE NATIONAL BUREAU

1. The National Bureau is a legal entity and has a seal engraved with the image of the national Ukrainian coat of arms and title of the agency.

# ARTICLE 33

## PERSONAL OFFICIAL ID OF AN EMPLOYEE OF THE NATIONAL BUREAU

1. Employees of the National Bureau shall have a personal official ID.

2. The provision on the personal official ID for employees of the National Bureau and samples of the IDs shall be approved by the Director of the National Bureau.





