

# CONSTITUTION OF UKRAINE

With the amendments and supplements borne  
By the law of Ukraine  
from December, 8, 2004 N 2222-IV

Supreme Soviet of Ukraine on behalf of the Ukrainian people - citizens of Ukraine of  
all nationalities

expressing sovereign will of people

leaning against centuries-old history of Ukrainian creation of the state and on the basis  
of carried out by Ukrainian nation, all Ukrainian people of right of self-determination

caring of providing of rights and freedoms of man and deserving terms of its life

caring of strengthening of civil consent on earth of Ukraine

aiming to develop and fasten the democratic, social, legal state

realizing responsibility before God, own conscience, previous, present and coming  
generations

following Act of proclamation of independence of Ukraine from August, 24, 1991, to  
approved on December, 1, 1991 by the national voting

adopts this Constitution - Basic Law of Ukraine.

## Section And GENERAL BASES

**Article 1.** Ukraine is the sovereign and independent, democratic, social, legal state.

**Article 2.** Sovereignty of Ukraine spreads on all its territory.

Ukraine is the unitary state.

Territory of Ukraine within the limits of existent border is integral and inviolable.

**Article 3.** A man, its life and health, honour and dignity, inviolability and safety,  
confess in Ukraine by the most greatest social value.

Rights and freedoms of man and their guarantees determine maintenance and  
orientation of activity of the state. The state is responsible to the man for the activity.  
Assertion and providing of rights and freedoms of man is the main duty of the state.

**Article 4.** There is unique citizenship in Ukraine. The grounds of acquisition and  
stopping of citizenship of Ukraine are determined by a law.

**Article 5.** Ukraine is a republic.

In Ukraine people are the transmitter of sovereignty and unique source of power. People carry out power directly and through public authorities and organs of local self-government.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 5 from 05.10.2005 N 6-pp/2005)

Right to determine and changing a constitutional line-up in Ukraine is required exceptionally to the people and can not be usurped by the state, its organs or public servants.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part third of the article 5 from 05.10.2005 N 6-pp/2005)

Nobody can usurp state authority.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part fourth of the article 5 from 05.10.2005 N 6-pp/2005)

**Article 6.** State authority in Ukraine is carried out on bases of its division on legislative, executive and judicial.

The organs of legislative, executive and judicial power carry out the plenary powers in the limits set by this Constitution and in accordance with the laws of Ukraine.

**Article 7.** Local self-government is acknowledged in Ukraine and is guaranteed.

**Article 8.** In Ukraine is acknowledged and is operated principle of supremacy of right.

Constitution of Ukraine has the most greatest legal force. Acts and other legal normatively acts are passed on the basis of Constitution of Ukraine and must answer her.

Norms of Constitution of Ukraine are the norms of direct action. The address to the court for defence of constitutional rights and freedoms of man and citizen directly on the basis of Constitution of Ukraine is guaranteed.

**Article 9.** Running international agreements, consent, on obligatory of which given by Supreme Soviet of Ukraine, are part of national legislation of Ukraine.

Conclusion of international agreements which conflict with Constitution of Ukraine, possible only after bringing of the proper changes to Constitution of Ukraine.

**Article 10.** In Ukraine Ukrainian speech is an official language.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 10 from 14.12.99 N 10-пн/99)

The state provides comprehensive development and functioning of Ukrainian in all spheres of public life on all territory of Ukraine.

Free development, use and defence of Russian, is guaranteed in Ukraine, other languages of national minorities of Ukraine.

The state is instrumental in the study of languages of international intercourse.

Application of languages in Ukraine is guaranteed by Constitution of Ukraine and is determined by a law.

**Article 11.** The state is instrumental in consolidation and development of Ukrainian nation, its historical consciousness, traditions and culture, and also development of ethnic, cultural, linguistic and religious originality of all native people and national minorities of Ukraine.

**Article 12.** Ukraine cares of satisfaction of національно-культурних and linguistic necessities of Ukrainians which live outside the state.

**Article 13.** Earth, its bowels of the earth, atmospheric air, natural resources water et al, and which are within the limits of territory of Ukraine, natural resources of its continental shelf, exceptional (marine) economic area are the objects of right of ownership of the Ukrainian people. On behalf of the Ukrainian people of right for a proprietor public authorities and organs of local self-government are carried out in scopes certain by this Constitution.

Every citizen has a right to use the natural objects of right of ownership of people in accordance with a law.

The own obligates. The own must not be used on harm to the man and society.

The state provides defence of rights for all legal subjects of own and menage, social orientation of economy. All legal subjects of own are levels before a law.

**Article 14.** Earth is basic national riches, that is under the special guard of the state.

The right of ownership on earth is guaranteed. It is a right for набувається and will be realized by citizens, legal entities and state exceptionally in accordance with a law.

**Article 15.** Public life in Ukraine is based on bases of political, economic and ideological багатоманітності.

Not a single ideology can be acknowledged by the state as obligatory.

Censorship is forbidden.

The state guarantees freedom of the political activity not forbidden by Constitution and laws of Ukraine.

**Article 16.** Providing of ecological safety and support of ecological equilibrium on territory of Ukraine, overcoming of consequences of the Чорнобильської catastrophe is the catastrophes of planetary scale, saving of gene pool of the Ukrainian people is the duty of the state.

**Article 17.** Defence of sovereignty and territorial integrity of Ukraine, providing of its economic and informative safety is the major functions of the state, matter of all Ukrainian people.

Defensive of Ukraine, defence of its sovereignty, territorial integrity and inviolability is laid on Military Powers of Ukraine.

Providing of state security and defence of state boundary of Ukraine is laid on the proper soldiery formings and law enforcement authorities of the state, organization and order of activity of which is determined by a law.

Military Powers of Ukraine and other soldiery formings by nobody can be used for limitation of rights and freedoms of citizens or with the purpose of overthrow of constitutional line-up, removal of organs of power or obstacle to their activity.

The state provides social defence of citizens of Ukraine, which are in service in Military Powers of Ukraine and in other soldiery formings, and also members of their families.

On territory of Ukraine creation and functioning of some armed formings not statutory is forbidden.

On territory of Ukraine the location of foreign soldiery bases is shut out.

**Article 18.** Foreign-policy activity of Ukraine is directed on providing of its national interests and safety by support of peaceful and mutually beneficial collaboration with the members of international concord on confessedly principles and norms of international law.

**Article 19.** A legal order in Ukraine is based on bases, in accordance with which nobody can be compelled to do that it is not foreseen by the legislation.

Public authorities and organs of local self-government, their public servants are under an obligation to operate only on foundation, within the limits of plenary powers and in a method, that is foreseen by Constitution and laws of Ukraine.

**Article 20.** State Flag of Ukraine, National Emblem of Ukraine and National Anthem of Ukraine, is state characters of Ukraine.

State Flag of Ukraine - exacted from two isometric horizontal bars of dark blue and yellow.

Large National Emblem of Ukraine is set taking into account small National Emblem of Ukraine and coat of arms of Army of Zaporozhian by a law, that is adopted more no less as by the two third from constitutional composition of Supreme Soviet of Ukraine.

Sign of the Princely State of Vladimir Великого is the staple of large National Emblem of Ukraine (small National Emblem of Ukraine).

National Anthem of Ukraine is a national hymn on the M. Вербицького music with the words ratified by a law, that is adopted more no less as by the two third from constitutional composition of Supreme Soviet of Ukraine.

Description of state characters of Ukraine and order of their use is set by a law, that is adopted more no less as by the two third from constitutional composition of Supreme Soviet of Ukraine.

The city Kiev is the capital of Ukraine.

## **Section II**

### **RIGHTS, FREEDOMS AND DUTIES OF MAN AND CITIZEN**

**Article 21.** All people are free and even in the dignity and rights. Rights and freedoms of man are inalienable and inviolable.

**Article 22.** Rights and freedoms of man and citizen, fastened by this Constitution, are not exhaustive.

Constitutional rights and freedoms are guaranteed and can not be abolished.

At acceptance of new laws or bringing of changes to the laws in force narrowing of maintenance and volume of existent rights and freedoms is shut out.

**Article 23.** Everybody has a right to free development of the personality, if rights and freedoms of other people are not here violated, and has duties before society, free and comprehensive development of its personality is provided in which.

**Article 24.** Citizens have even constitutional rights and freedoms and are even before a law.

It can not be privileges or limitations after the signs of race, color of skin, political, religious and other persuasions, floor, ethnic and social origin, property state, place of residence, after linguistic or other signs.

Equality of rights for a woman and man is provided: by the grant to the women of possibilities equal with men in public-political and cultural activity, in the receipt of education and professional preparation, in labour and fee for her; by the special measures on a labour and health of women protection, by establishment of pension privileges; to creations of terms, which enable to the women to connect labour with maternity; by legal defense, material and moral support of maternity and childhood, including the grant of the paid vacations and other privileges to the expectant mothers and mothers.

**Article 25.** The citizen of Ukraine can not be deprived citizenship and right to change citizenship.

The citizen of Ukraine can not be outcast outside Ukraine or given out to other state.

Ukraine guarantees the anxiety and defence to the citizens which are after its scopes.

**Article 26.** Foreigners and persons without citizenship, that are in Ukraine on the legal grounds, use those rights and freedoms, and also the same duties are carried, as well as citizens of Ukraine, - after the exceptions, set by Constitution, laws or international agreements of Ukraine.

To the foreigners and persons without citizenship refuge can be given in the order set by a law.

**Article 27.** Everybody has inalienable right to life.

Nobody can be self-willed deprived life. Duty of the state - to protect life of man.

Everybody has a right to protect the life and health, life and health of other people from протиправних encroachments.

**Article 28.** Everybody has a right to respect to his dignity.

Nobody can be subject to torture, cruel, superhuman or such, that humiliates his dignity, to the conduct or punishment.

Nobody without its free consent can be subject to the medical, scientific or other experiments.

**Article 29.** Everybody has a right to freedom and bodily security.

Nobody can be a prisoner or to stick to under a guard differently as after the explained decision of court and only on the grounds and in an order, set by a law.

In the case of urgent necessity to prevent the crime or to cut him short empowered on that by a law organs can apply holding of person under a guard as temporary measure of suppression, the validity of which during seventy two hours is to be tested by a court. The detained person is immediately freed, if during seventy two hours from the moment of detention to her the explained decision of court is not handed about holding under a guard.

Every prisoner or detained it is to be without delay put in a fame about the reasons of arrest or detention, his rights are explained and given possibility from the moment of detention to defend oneself personally and use the legal aid of defender.

The every detained has a right at any time to appeal the detention in a court.

About the arrest or detention of man the relatives of prisoner or detained are to be immediately put in a fame.

**Article 30.** Inviolability of habitation is guaranteed to each.

Penetration is shut out to habitation or to other domain of person, conducting in them of review or search differently as after the explained decision of court.

In exigent cases, related to the rescue of life of people and property or with direct pursuit of persons, which are suspected in the commission of crime, other, set by a law, order of penetration to habitation or to other domain of person is possible, conducting in them of review and search.

**Article 31.** Privacy of correspondence, telephone talks, telegraph and other correspondence is guaranteed to each. The exceptions can be set only by a court in cases statutory, on purpose prevent the crime or find out truth during investigation of criminal case, if it is impossible by another ways to obtain information.

**Article 32.** Nobody can test interference with his personal and domestic life, except for the cases foreseen by Constitution of Ukraine.

Collection, storage, use and distribution of confidential information, about a person without its consent is shut out, except for cases certain by a law, and only in interests of national safety, economic welfare and human rights.

Every citizen has a right to meet in public authorities, organs of local self-government, establishments and organizations with information about itself, which are not the state or other secret protected by a law.

To each judicial defence of right to refute unreliable information about itself and the family members that right is guaranteed to require the exception of some information, and also right to compensation of the material and moral harm, inflicted to collections, storages, uses and distributions of such unreliable information.

**Article 33.** To each, who on the legal grounds is on territory of Ukraine, freedom of movement, free choice of place of residence, right freely to abandon territory of Ukraine, is guaranteed, except for limitations which are set by a law.

The citizen of Ukraine can not be deprived right in some time to get back to Ukraine.

**Article 34.** To each a right to freedom is guaranteed thoughts and words, on free expression of the looks and persuasions.

Everybody has a right freely to collect, keep, use and diffuse information orally, in writing or in another way - on the choice.

Realization of these rights can be limited by a law in interests of national safety, territorial integrity or public peace with the purpose of prevention of disturbances or crimes, for the health protection population, for defence of reputation or rights for other people, for prevention of disclosure of the information got confidentially, or for support of authority and impartiality of justice.

**Article 35.** Everybody has a right to freedom of world view and religion. This right includes freedom to hear the confession some religion or hear the confession no, without difficulty to send religious cults and sacral ceremonies individually or collectively, conduct religious activity.

Realization of this right can be limited by a law only in interests of public law, health and morality of population or defence of rights and freedoms of other people enforcement.

A church and religious organizations in Ukraine is dissociated from the state, and school - from a church. Not a single religion can be acknowledged by the state as obligatory.

Nobody can be exempt from the duties before the state or to give up implementation of laws after the reasons of religious persuasions. In case if the military duty performance contradicts by religious persuasion of citizen, the this duty performance is to be transferable by alternative (невійськовою) service.

**Article 36.** The citizens of Ukraine have a right to freedom association in political parties and public organizations for realization and defence of the rights and freedoms and satisfaction of political, economic, social, cultural and other interests, except for the limitations, set by a law in interests of national safety and public peace, health or defence of rights and freedoms of other people care of population.

Political parties in Ukraine are instrumental in forming and expression of political will of citizens, part is taken in elections. The citizens of Ukraine can be the members of political parties only. Limitations in relation to membership in political parties are set exceptionally by this Constitution and laws of Ukraine.

Citizens have a right to participation in trade unions with the purpose of defence of the labour and socio-economic rights and interests. Trade unions are public organizations, which unite the citizens bound by general interests after the sort of their professional activity. Trade unions appear without previous permission on the basis of free choice of their members. All trade unions have even rights. Limitations in relation to membership in trade unions are set exceptionally by this Constitution and laws of Ukraine.

Nobody can be forced to the entry in some association of citizens or limited in rights for belonging or improper to political parties or public organizations.

All associations of citizens are levels before a law.

**Article 37.** Education and activity of political parties and public organizations, programmatic aims or actions of which, is directed on liquidation of independence of Ukraine, change of constitutional line-up by a violent way, violation of sovereignty and territorial integrity of the state, injury of its safety, illegal fascination of state authority, propaganda of war, violence, on exasperation міжетнічної, racial, religious enmity, encroachments on rights and freedoms of man, health of population, are forbidden.

Political parties and public organizations can not have the militarized formings.

Creation and activity of organizational structures of political parties in the organs of executive and judicial power and executive branches of local self-government, soldiery formings is shut out, and also on state enterprises, in educational establishments and other state establishments and organizations.

Prohibition of activity of associations of citizens is carried out only in a judicial order.

**Article 38.** Citizens have a right to take part in the management of state affairs, in allukrainian and local referendums, freely to elect and be select in public and organs of local self-government authorities.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 38 from 06.07.99 N 7-пн/99)

Citizens use an even right for access to government service, and also to service in the organs of local self-government.

**Article 39.** Citizens have a right to be going peacefully, without a weapon and to hold meetings, the mass meetings, hikes and demonstrations, about conducting of which in advance are informed organs of executive power or organs of local self-government.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 39 from 19.04.2001 N 4-пн/2001)

Limitation in relation to realization of this right can be set by a court in accordance with a law and only in interests of national safety and public peace - with the purpose of prevention of disturbances or crimes, for the health or defence of rights and freedoms of other people care of population.

**Article 40.** All have a right to send the individual or collective writing appeals or personally apply in public, organs of local self-government and public and official servants of these organs authorities, that are under an obligation to consider the appeal and give the grounded answer in the term set by a law.

**Article 41.** Everybody has a right to own, use and dispose of own, results of the intellectual, creative activity.

Right of private ownership of *набувається* in an order certain by a law.

Citizens for satisfaction of the necessities can use the objects of right of state and communal ownership in accordance with a law.

Nobody can be *протиправно* deprived right of ownership. The right of private ownership is inviolable.

The forced alienation of objects of right of private ownership can be applied only as an exception of reasons of public necessity, on foundation and in an order, set by a law, and on condition of previous and complete compensation of their cost. The forced alienation of such objects with a next complete compensation of their cost is assumed only in the conditions of the military or extraordinary state.

Confiscation of property can be applied exceptionally in decision of court in cases, volume and order set by a law.

The use of own can not harm to the rights, freedoms and dignity of citizens, interests of society, to worsen an ecological situation and natural qualities of earth.

**Article 42.** Everybody has a right to entrepreneurial activity which is not forbidden by a law.

Entrepreneurial activity of deputies, public and official servants of public authorities and organs of local self-government is limited to the law.

The state provides defence of competition in entrepreneurial activity. Monopolistic abuse positions at the market, illegal limitation of competition and unfair competition, are shut out. Prospects and scopes of monopoly are determined by a law.

The state protects rights for users, carries out the control after quality and unconcern of products and all types of services and works, is instrumental in activity of public organizations of users.

**Article 43.** Everybody has a right to work, that includes possibility to earn to itself on life by labour which he freely elects or on which consents freely.

The state creates terms for complete realization by the citizens of right to work, guarantees equal possibilities in the choice of profession and sort of labour activity, realizes the programs of *професійно-технічного* studies, preparation and retraining of shots in accordance with public necessities.

The use of the forced labor is forbidden. Military or alternative (*невійськова*) service, and also work or service which is executed by a person after the sentence or other decision of court or in accordance with laws about military and about the extraordinary state, ignores by the forced labor.

Everybody has a right to the proper, safe and healthy terms of labour, on the wages not more low from certain by a law.

Use of labour of women and minor at works dangerous for their health is forbidden.

Defence from illegal liberation is guaranteed to the citizens.

A right to the timely receipt of fee for labour is on the defensive a law.

**Article 44.** Those, who works, have a right to the strike for defence of the economic and social interests.

Order of realization of right to the strike is established by a law taking into account the necessity of providing of national safety, health protection, rights and freedoms of other people.

Nobody can be forced to participation or to abstention in the strike.

Prohibition of strike is possible only on the basis of law.

**Article 45.** Everybody, who works, has a right to rest.

This right is provided by the grant of days of weekly rest, and also paid annual vacation, establishment of brief working day in relation to separate professions and productions, brief duration of work in a night-time.

Maximal duration of working hours, minimum duration of rest and paid annual vacation, week and festive ends, and also other terms of realization of this right is determined by a law.

**Article 46.** Citizens have the right of social defence, that includes a right to providing of them in the case of complete, partial or temporal loss of capacity, loss of breadwinner, unemployment from the circumstances independent of them, and also in old age and in other cases statutory.

This right is guaranteed by obligatory state social security due to insurance payments of citizens, enterprises, establishments and organizations, and also budgetary and other sources of public welfare; by networking state, communal, private establishments for the care of disabled.

Pensions, other types of social payments and manuals which are the basic source of existence, is to provide the standard of living, not more low from the living wage set by a law.

**Article 47.** Everybody has a right to habitation. The state creates terms, for which every citizen will be in a position to build habitation, to acquire him in own or lease.

To the citizens which need social defence, habitation is given by the state and organs of local self-government *бeзoплатнo* or for the pay accessible for them in accordance with a law.

Nobody can be forcedly deprived habitation differently as on the basis of law in decision of court.

**Article 48.** Everybody has a right to the sufficient standard of life for itself and the family, that includes the sufficient feed, clothes, habitation.

**Article 49.** Everybody has a right to the health protection, medicare and medical insurance.

The health protection is provided by the state financing of the proper socio-economic, медико-санітарних and health-prophylactic programs.

The state creates terms for effective and accessible for all citizens medical service. In state and communal establishments of health protection medicare appears безоплатно; the existent network of such establishments can not be brief. The state assists to development of medical establishments of all patterns of ownership.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part third of the article 49 from 29.05.2002 N 10-рп/2002)

The state cares of development of physical culture and sport, provides epidemic sanitary prosperity.

**Article 50.** Everybody has a right to the environment safe for life and health and on compensation of inflicted to violations of this right for harm.

A right for free access to state information environment is guaranteed to each, about quality of food products and articles of way of life, and also right to its distribution. Such information by nobody can be secret.

**Article 51.** Marriage is based on the free consent of woman and man. Each of the married couple has even rights and duties in marriage and family.

Parents are under an obligation to retain children to their majority. Adult children are under an obligation to care of the disabled parents.

Family, childhood, maternity and paternity, is guarded by the state.

**Article 52.** Children are levels in the rights regardless of origin, and also from that, born they in marriage or out of him.

Some violence above a child and its exploitation is pursued after a law.

The table of contents and education of children-orphans and children deprived of paternal anxiety is laid on the state. The state encourages and supports благодійницьку activity in relation to children.

**Article 53.** Everybody has a right to education.

Complete universal secondary education is obligatory.

The state provides availability and *безоплатність* of preschool, complete universal secondary, *професійно-технічної*, higher education in state and communal educational establishments; development of preschool, complete universal secondary, out-of-school, *професійно-технічної*, higher and *післядипломної* education, different forms of studies; grant of state grants and privileges to the students and students.

(by position of part third of the article 53 the "state provides availability and *безоплатність* of preschool, complete universal secondary, *професійно-технічної*, higher education in state and communal educational establishments" in the context of parts of the first, second, fourth noted article official interpretation in obedience to the decision of Constitutional Court of Ukraine is given from 04.03.2004 N 5-рп/2004)

Citizens have a right *безоплатно* to get more higher education in state and communal educational establishments on competitive basis.

To the citizens which belong to the national minorities, in accordance with a law a right to the studies by the mother tongue or on the study of the mother tongue in state and communal educational establishments or through cultural national societies is guaranteed.

**Article 54.** Freedom of literary, artistic, scientific and technical creation, defence of intellectual property, their copyrights, moral and material interests which arise up in connection with different types of intellectual activity, is guaranteed to the citizens.

Every citizen has a right to the results of the intellectual, creative activity; nobody can use or diffuse them without his consent, after the exceptions set by a law.

The state assists to development of science, establishment of scientific communications of Ukraine with a world concord.

A cultural legacy is guarded by a law.

The state provides saving of historical sights and other objects which make a cultural value, takes measures for returning to Ukraine of cultural values of people, which are after its scopes.

**Article 55.** Rights and freedoms of man and citizen are on the defensive a court.  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 55 from 25.12.1997 N 9-зп)

A right to the appeal in the court of decisions, actions or inactivity of public, organs of local self-government, public and official servants authorities is guaranteed to each.  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 55 from 25.11.1997 N 6-зп)

Everybody has a right to apply for defence of the rights to Empowered Supreme Soviet of Ukraine on human rights.

Everybody has a right after the use of all national facilities of legal defense to apply for defence of the rights and freedoms in the proper international judicial establishments or in the proper organs of international organizations, Ukraine is a member or participant of which.

Everybody has a right by some facilities to protect the rights and freedoms from violations and протиправних encroachments not forbidden by a law.

**Article 56.** Everybody has a right to compensation due to the state or organs of local self-government of the material and moral harm, inflicted by the illegal decisions, actions or inactivity of public, organs of local self-government authorities, their public and official servants at realization by them the plenary powers.

**Article 57.** A right to know the rights and duties is guaranteed to each.

Laws and other legal normatively acts which determine rights and duties of citizens are to be notified population in the order set by a law.

Laws and other legal normatively acts which determine rights and duties of citizens, the not notified populations in the order set by a law are invalid.

**Article 58.** Laws and other legal normatively acts do not have reverse action in time, except for the cases when they soften or abolish responsibility of person.  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 58 from 09.02.99 N 1-пн/99)

Nobody can be responsible for the acts which in a time of their accomplishing were not acknowledged by a law as offence.  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of the article 58 from 13.05.97 N 1-зп)

(to position of the article 58, taking into account the requirements of the point 22 of part first of the article 92 of Constitution of Ukraine, official interpretation in obedience to the decision of Constitutional Court of Ukraine is given from 19.04.2000 N 6-рп/2000)

**Article 59.** Everybody has a right to the legal aid. In cases statutory, this help appears безоплатно. Everybody is free in the choice of defender of the rights.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 59 from 16.11.2000 N 13-рп/2000)

For providing of right of defence from accusation and grant of legal aid at the decision of businesses in courts and other state organs advocacy operates in Ukraine.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 59 from 16.11.2000 N 13-рп/2000)

**Article 60.** Nobody is under an obligation to execute the criminal orders or orders obviously.

Legal responsibility comes for giving and implementation obviously of criminal order or order.

**Article 61.** Nobody can be twice притягнений to legal responsibility of one kind for the same offence.

Legal responsibility of person has individual character.

**Article 62.** A person is considered unguilty in the commission of crime and can not be subject to criminal punishment, while its guilt will not be led to in a legal order and set by the accusatory sentence of court.

Nobody is under an obligation to lead to the no guiltiness in the commission of crime.

Accusation can not be based on the proofs got an illegal way, and also on suppositions. All doubting in relation to proved of guilt of person is interpreted on its benefit.

In the case of abolition of sentence of court as no justice the state compensates the material and moral harm inflicted to groundless засудженням.

**Article 63.** A person does not carry responsibility for the refusal to give a testimony or explanation in relation to itself, family members or near relation, the circle of which is determined by a law.

Suspected, обвинувачений or a defendant has the right of defence.

The condemned uses all human and citizen rights, except for limitations which are certain by a law and set by the sentence of court.

**Article 64.** Constitutional rights and freedoms of man and citizen can not be limited, except for the cases foreseen by Constitution of Ukraine.

In the conditions of the military or extraordinary state separate limitations of rights and freedoms with pointing of term of action of these limitations can be set. Rights and freedoms foreseen by the articles 24 can not be limited, 25, 27, 28, 29, 40, 47, 51, 52, 55, 56, 57, 58, 59, 60, 61, 62, 63 this Constitution.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to positions of the article 64 from 25.12.1997 N 9-зп)

**Article 65.** Defence of Fatherland, independence and territorial integrity of Ukraine, honouring of its state characters is the duty of citizens of Ukraine.

Citizens serve military time in accordance with a law.

**Article 66.** Every obliged not to cause harm to nature, cultural legacy, to make amends inflicted by him.

**Article 67.** Every obliged to pay taxes and collections all right and the sizes set by a law.

All citizens annually give in tax inspections domiciliary declarations about the property state and profits for the last year in the order set by a law.

**Article 68.** Every obliged steadily to restrain temper to Constitution of Ukraine and laws of Ukraine, not trench upon rights freedoms, honour and dignity of other people.

Ignorance of laws does not release from legal responsibility.

### **Section III**

## **ELECTIONS. REFERENDUM**

**Article 69.** Folk will is carried out through elections, referendum and other forms of direct democracy.

**Article 70.** Right the citizens of Ukraine, which attained on the day of their conducting of eighteen years, have voice on elections and referendums.

Citizens which are held by court incompetent have no authority voice.

**Article 71.** Elections in public authorities and organs of local self-government are free and take place on the basis of common, even and direct electoral law by the secret vote.

Free will is guaranteed to the electors.

**Article 72.** An allukrainian referendum is appointed by Supreme Soviet of Ukraine or President of Ukraine in accordance with their plenary powers set by this Constitution.

An allukrainian referendum is proclaimed on folk initiative on call more no less as three million which have voice citizens of Ukraine, on condition that signatures in relation to setting of referendum are collected more no less as in two third of regions and more no less as on one hundred thousand signatures in every region.

**Article 73.** Exceptionally an allukrainian referendum decide questions about the change of territory of Ukraine.

**Article 74.** A referendum is shut out in relation to bills on the questions of taxes, budget and amnesty.

#### **Section IV SUPREME SOVIET OF UKRAINE**

**Article 75.** In Ukraine parliament is Supreme Soviet of Ukraine is the unique organ of legislature.

(to position of the article 75 in intercommunication with positions of the articles 5, 76, 85 Constitutions of Ukraine are given official interpretation in obedience to the decision of Constitutional Court of Ukraine from 17.10.2002 N 17-пн/2002)

**Article 76.** Constitutional composition of Supreme Soviet of Ukraine - four hundred fifty folk deputies of Ukraine, which are elected on the basis of common, even and direct electoral law by the secret vote.

By the folk deputy of Ukraine the citizen of Ukraine, which on a ballot day attained twenty one year, can be select, has voice and lives in Ukraine during the last five years.

There can not be select in Supreme Soviet of Ukraine a citizen which has previous conviction for the commission of intentional crime, if this previous conviction is not liquidated and not taken off in the order set by a law.

Plenary powers of folk deputies of Ukraine are determined by Constitution and laws of Ukraine.

The term of appointments of Supreme Soviet of Ukraine makes five years.  
(article 76 in the release of Law of Ukraine from  
08.12.2004 N 2222-IV)

**Article 77.** Duty elections in Supreme Soviet of Ukraine take place in the last Sunday of the last month of fifth year of plenary powers of Supreme Soviet of Ukraine.  
(part first of the article 77 in the release of Law of  
Ukraine from 08.12.2004 N 2222-IV)

Extraordinary elections in Supreme Soviet of Ukraine are appointed by President of Ukraine and is conducted in the period of sixty days from the day of publishing of decision about ahead of shedule stopping of plenary powers of Supreme Soviet of Ukraine.

Order of election folk deputies of Ukraine is established by a law.

**Article 78.** The folk deputies of Ukraine carry out the plenary powers on permanent basis.

The folk deputies of Ukraine can not have other representative mandate, be on government service, hold other paid positions, carry on other entrepreneurial activity (except for teaching, scientific and creative activity) paid or, enter in the complement of leading organ or observant advice of enterprise or organization, that has for an object of receipt of income.

The requirements in relation to repugnance of deputy mandate with other types of activity are set by a law.

In the case of origin of circumstances which violate the requirements in relation to repugnance of deputy mandate with other types of activity, the folk deputy of Ukraine in a twentydaily term from the day of origin of such circumstances halts such activity or hands in a personal application about складення of plenary powers of folk deputy of Ukraine.

(article 78 in the release of Law of Ukraine from  
08.12.2004 N 2222-IV)

**Article 79.** Before the entry in position the folk deputies of Ukraine kiss such book before Supreme Soviet of Ukraine:

"I swear on loyalty to Ukraine. I am obligated by the all actions to protect sovereignty and independence of Ukraine, care of blessing of Fatherland welfare of the Ukrainian people.

I swear to restrain temper to Constitution of Ukraine and laws of Ukraine, discharge the duties in interests of all compatriots".

An oath is read out by the folk deputy of Ukraine before opening of the first session of новообраної Supreme Soviet of Ukraine most senior after age, whereupon deputies clamp an oath by the signatures under its text.

Refusal to bring an oath has by investigation loss of deputy mandate.

Plenary powers of folk deputies of Ukraine begin from the moment of складення of oath.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to positions of the article 79 from 13.05.97 N 1-зп)

**Article 80.** Deputy inviolability is guaranteed to the folk deputies of Ukraine.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 80 from 26.06.2003 N 12-рп/2003)

The folk deputies of Ukraine do not carry legal responsibility for results voting or utterances in parliament and his organs, except for responsibility for offense or slander.

The folk deputies of Ukraine can not be without the consent of Supreme Soviet of Ukraine of притягнені to criminal responsibility, detained or prisoner.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part third of the article 80 from 27.10.99 N 9-рп/99)

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to positions of part third of the article 80 from 26.06.2003 N 12-рп/2003)

**Article 81.** Plenary powers of folk deputies of Ukraine are halted simultaneously with stopping of plenary powers of Supreme Soviet of Ukraine.

Plenary powers of folk deputy of Ukraine are halted before the appointed time in time:

- 1) складення of plenary powers on his personal statement;
- 2) set of legal force by the accusatory sentence in relation to him;

- 3) confession of his cramps incompetent or is obscurely absent;
- 4) stopping of his citizenship or his departure on the permanent residence outside Ukraine;
- 5) if during twenty days from the day of origin of circumstances which result in violation of requirements in relation to repugnance of deputy mandate with other types of activity, these circumstances it is not removed by him;
- 6) no entrance of folk deputy of Ukraine, select from political party (electoral block of political parties), in the complement of deputy faction of this political party (electoral block of political parties) or output of folk deputy of Ukraine from composition of such faction;
- 7) his deaths.

Plenary powers of folk deputy of Ukraine are halted before the appointed time also in the case of ahead of shedule stopping in accordance with Constitution of Ukraine of plenary powers of Supreme Soviet of Ukraine - in the day of opening of the first meeting of Supreme Soviet of Ukraine of a new convocation.

Decision about ahead of shedule stopping of plenary powers of folk deputy of Ukraine in cases foreseen by the points 1, 4 part second of this article, is accepted by Supreme Soviet of Ukraine, and in case foreseen by the point 5 of part second of this article, - cramps.

In the case of set of legal force by the accusatory sentence of court in relation to the folk deputy of Ukraine, confession of folk deputy of Ukraine incompetent or obscurely absent his plenary powers are halted from the day of set of legal force by the decision of court, and in the case of death of folk deputy of Ukraine - from the day of the death witnessed by the certificate about death.

In the case of no entrance of folk deputy of Ukraine, select from political party (electoral block of political parties), in the complement of deputy faction of this political party (electoral block of political parties) or output of folk deputy of Ukraine from composition of such faction his plenary powers are halted before the appointed time on the basis of law in decision of more higher leading organ of the proper political party (electoral block of political parties) from the day of acceptance of such decision.

(article 81 in the release of Law of Ukraine from  
08.12.2004 N 2222-IV)

## **Article 82.** Supreme Soviet of Ukraine works session.

Supreme Soviet of Ukraine is plenipotentiary on condition of election more no less as two third from its constitutional composition.

Supreme Soviet of Ukraine is going on the first session not later than on the thirtieth day after official announcement of results of elections.

The first meeting of новообраної Supreme Soviet of Ukraine is opened by the folk deputy of Ukraine most senior after age.

(article 82 in the release of Law of Ukraine from  
08.12.2004 N 2222-IV)

**Article 83.** The duty sessions of Supreme Soviet of Ukraine begin the first Tuesday February and first Tuesday September of every year.

The extraordinary sessions of Supreme Soviet of Ukraine, with pointing of order-paper, are convened by Chairman of Supreme Soviet of Ukraine on call of President of Ukraine or on call more no less as third of folk deputies of Ukraine from constitutional composition of Supreme Soviet of Ukraine.

In the case of announcement of decree of President of Ukraine about introduction of the military or extraordinary state in Ukraine or separate its localities Supreme Soviet of Ukraine is going on meeting in a two-day term without convocation.

In the case of ending of term of appointments of Supreme Soviet of Ukraine during action of the military or extraordinary state its plenary powers proceed to the day of the first meeting of the first session of Supreme Soviet of Ukraine select after abolition of the military or extraordinary state.

Order of work of Supreme Soviet of Ukraine is established by Constitution of Ukraine and Regulation of Supreme Soviet of Ukraine.

In Supreme Soviet of Ukraine as a result of elections and on the basis of concordance of political positions coalition of deputy factions is formed, which most from constitutional composition of Supreme Soviet of Ukraine folk deputies of Ukraine enter in the complement of.

Coalition of deputy factions in Supreme Soviet of Ukraine is formed during one month from the day of opening of the first meeting of Supreme Soviet of Ukraine, that is conducted after attendants either extraordinary elections of Supreme Soviet of Ukraine or during a month from the day of stopping of activity of coalition of deputy factions in Supreme Soviet of Ukraine.

Coalition of deputy factions in Supreme Soviet of Ukraine in accordance with this Constitution makes suggestions to President of Ukraine in relation to the candidature of prime Minister of Ukraine, and also in accordance with this Constitution makes suggestions in relation to candidatures in the complement of Cabinet of Ministers of Ukraine.

Bases of forming, organizations of activity and stopping of activity of coalition of deputy factions, in Supreme Soviet of Ukraine are set by Constitution of Ukraine and Regulation of Supreme Soviet of Ukraine.

Deputy faction in Supreme Soviet of Ukraine, which most from constitutional composition of Supreme Soviet of Ukraine folk deputies of Ukraine enter in the complement of, has rights for coalition of deputy factions in Supreme Soviet of Ukraine, foreseen by this Constitution.

(article 83 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

**Article 84.** Sessions of Supreme Soviet of Ukraine are held openly. Closed session is held in decision of majority from constitutional composition of Supreme Soviet of Ukraine.

Decisions of Supreme Soviet of Ukraine are made exceptionally on its plenary meetings by voting.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 84 from 07.07.98 N 11-рп/98)  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 84 from 14.10.2003 N 16-рп/2003)

Voting on meetings of Supreme Soviet of Ukraine is carried out by the folk deputy of Ukraine personally.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part third of the article 84 from 07.07.98 N 11-рп/98)  
(in relation to participation of folk deputies of Ukraine in acceptance by Supreme Soviet of Ukraine of decisions official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to positions of parts of the second and third article 84 from 17.10.2002 N 17-рп/2002)  
(in relation to legal maintenance of the concepts "session" and "meeting" of Supreme Soviet of Ukraine and necessary amount of folk deputies on meeting присутніх of Ukraine official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to positions of the article 84 from 17.10.2002 N 17-рп/2002)

**Article 85.** To plenary powers of Supreme Soviet of Ukraine belongs:

- 1) bringing of changes to Constitution of Ukraine within the limits of and order, foreseen by a section XIII this Constitution;
- 2) setting of allukrainian referendum on questions certain by the article 73 of this Constitution;
- 3) acceptance of laws;
- 4) claim of the State budget of Ukraine and bringing of changes to him, control after implementation of the State budget of Ukraine, decision-making in relation to a report about his implementation;
- 5) determination of bases of foreign policy domestic and;
- 6) claim of the national programs of economic, scientific and technical, social, національно-культурного development, guard of environment;
- 7) setting of elections of President of Ukraine in the terms foreseen by this Constitution;
- 8) hearing of annual and extraordinary messages of President of Ukraine about internal and external position of Ukraine;
- 9) announcement after the giving of President of Ukraine the state of war and signing a peace treaty, approval of decision of President of Ukraine about the use of Armed Сил України and other soldiery formings in the case of the armed aggression against Ukraine;
- 10) removal of President of Ukraine from a post in order of the special procedure (імпичменту), set by the article 111 of this Constitution;
- 11) consideration and decision-making in relation to approval of Program of activity of Cabinet of Ministers of Ukraine;
- 12) setting after the giving of President of Ukraine prime Minister of Ukraine, Secretary of defence of Ukraine, Minister for foreign affairs Ukraine, setting after the giving of prime Minister of Ukraine of other Cabinet Ukraine, Chairman of the Antimonopoly committee of Ukraine, Chairman of the Statutory broker of television and broadcast of Ukraine, Chairman of Fund of state property of Ukraine, liberation of the noted persons ministers from positions, decision of question about retirement of prime Minister of Ukraine, Cabinet Ukraine ministers;
- 12 <sup>1</sup>) settings on position and dismisses after the giving of President of Ukraine Chairmen of security Service of Ukraine;
- 13) realization of control after activity of Cabinet of Ministers of Ukraine in accordance with this Constitution and law;
- 14) claim of decisions about the grant by Ukraine of loans and economic aid to the foreign states and international organizations, and also about the receipt by Ukraine

from the foreign states, banks and international financial organizations of the loans, not foreseen by the State budget of Ukraine, realization of control after their use;

15) acceptance of Regulation of Supreme Soviet of Ukraine;

16) setting on positions and dismisses Chapter and other members of the Account chamber;

17) setting on position and dismisses Empowered Supreme Soviet of Ukraine on human rights; hearing of his annual lectures about the state of observance and defence of rights and freedoms of man in Ukraine;

18) setting on position and dismisses Chapter of the National bank of Ukraine after the giving of President of Ukraine;

19) half I will make setting on positions and dismisses Advices of the National bank of Ukraine;

20) setting on positions and dismisses half of composition of National advice of Ukraine on the questions of television and broadcast;

21) setting on positions and dismisses members of the Central selection committee after the giving of President of Ukraine;

22) claim of general structure, quantity, determination of functions of security Service of Ukraine, Military Powers of Ukraine, soldiery formings other well-educated in accordance with the laws of Ukraine, and and also Ministry of internal affairs of Ukraine;

23) approval of decision about the grant of military oversea aid, about direction of subsections of Military Powers of Ukraine to other state or about admittance of subsections of military powers of other states on territory of Ukraine;

24) establishment of state characters of Ukraine;

25) grant of consent on setting on position and dismisses by President of Ukraine the General public prosecutor of Ukraine; utterance of mistrust to the General public prosecutor of Ukraine, that has by investigation his retirement from position;

26) setting on positions and dismisses third of composition of Constitutional Court of Ukraine;

27) election of judges permanently;

28) ahead of shedule stopping of plenary powers of Supreme Soviet of the Autonomous Republic Crimea at presence of conclusion of Constitutional Court of Ukraine about violation by her Constitutions of Ukraine or laws of Ukraine; setting of extraordinary elections in Supreme Soviet of the Autonomous Republic Crimea;

- 29) education and liquidation of districts, establishment and change of scopes of districts and cities, subsuming of settlements cities, name and renaming of settlements and districts;
- 30) setting of duty and extraordinary elections in the organs of local self-government;
- 31) assertion during two days from the moment of appeal of President of Ukraine decrees about introduction of the military or extraordinary state in Ukraine or in separate its localities, about general or partial mobilization, about announcement of separate localities by the areas of extraordinary ecological situation;
- 32) grant by the law of consent on obligatory of international agreements of Ukraine and denouncing of international agreements of Ukraine;
- 33) realization of parliamentary control in scopes certain by this Constitution and law;
- 34) decision-making about direction of query to President of Ukraine on call of folk deputy of Ukraine, group of folk deputies of Ukraine or committee of Supreme Soviet of Ukraine, preliminary supported more no less as by the one third from constitutional composition of Supreme Soviet of Ukraine;
- 35) setting on position and dismisses leader of vehicle of Supreme Soviet of Ukraine; claim of estimate of Supreme Soviet of Ukraine and structure of its vehicle;
- 36) claim of list of objects of right of state ownership, that is not subject to privatization, determination of legal frameworks of exception of objects of right of private ownership;
- 37) approval by the law of Constitution of the Autonomous Republic Crimea, changes to her.

Supreme Soviet of Ukraine carries out other plenary powers which in accordance with Constitution of Ukraine are delivered to its knowing also.

(article 85 in the release of Law of Ukraine from  
08.12.2004 N 2222-IV)

**Article 86.** The folk deputy of Ukraine has a right on the session of Supreme Soviet of Ukraine to appeal with the query in the organs of Supreme Soviet of Ukraine, to Cabinet of Ministers of Ukraine, to the leaders of other public authorities and organs of local self-government, and also to the leaders of enterprises, establishments and organizations located on territory of Ukraine, regardless of their submission and patterns of ownership.

(official interpretation in obedience to the decision of  
Constitutional Court of Ukraine is given to position of  
part first of the article 86 from 19.05.99 N 4-пн/99)  
(official interpretation in obedience to the decision of  
Constitutional Court of Ukraine is given to position of  
part first of the article 86 from 11.04.2000 N 4-пн/2000)

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 86 from 20.03.2002 N 4-пн/2002)  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 86 from 05.03.2003 N 5-пн/2003)  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to positions of part first of the article 86 from 14.10.2003 N 16-пн/2003)

Leaders of public authorities and organs of local self-government, enterprises, establishments and organizations are under an obligation to reveal to the folk deputy of Ukraine about the results of consideration of his query.

**Article 87.** Supreme Soviet of Ukraine on proposal of President of Ukraine or more no less as one third of folk deputies of Ukraine from constitutional composition of Supreme Soviet of Ukraine can consider a question about responsibility of Cabinet of Ministers of Ukraine and carry resolution of mistrust of Cabinet of Ministers of Ukraine by majority from constitutional composition of Supreme Soviet of Ukraine.

A question about responsibility of Cabinet of Ministers of Ukraine can not be examined by Supreme Soviet of Ukraine more than once during one duty session, and also for a year after approval of Program of activity of Cabinet of Ministers of Ukraine or during the last session of Supreme Soviet of Ukraine.

(article 87 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

**Article 88.** Supreme Soviet of Ukraine elects from the composition Chairman of Supreme Soviet of Ukraine, First deputy and vice-chairman Supreme Soviet of Ukraine and recalls them from these positions.

(part first of the article 88 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

Chairman of Supreme Soviet of Ukraine:

- 1) conducts meeting of Supreme Soviet of Ukraine;
- 2) organizes work of Supreme Soviet of Ukraine, co-ordinates activity of its organs;  
(point 2 of part second of the article 88 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)
- 3) signs the acts accepted by Supreme Soviet of Ukraine;

4) represents Supreme Soviet of Ukraine in зносинах with other public of Ukraine authorities and organs of power of other states;

5) organizes work of vehicle of Supreme Soviet of Ukraine.

Chairman of Supreme Soviet of Ukraine carries out the plenary powers foreseen by this Constitution, in the order set by Regulation of Supreme Soviet of Ukraine.

(part third of the article 88 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

**Article 89.** Supreme Soviet of Ukraine for realization of законопроектної work, preparation and previous consideration of the questions, attributed to its plenary powers, implementation of control functions in accordance with Constitution of Ukraine creates from a number the folk deputies of Ukraine the committees of Supreme Soviet of Ukraine and elects chairmen, first deputies, deputies of heads and secretaries of these committees.

Supreme Soviet of Ukraine within the limits of the plenary powers can set up temporal special committees for preparation and previous consideration of questions.

Supreme Soviet of Ukraine for the prosecution an inquiry on questions which are of public interest forms the temporal commissions of inquiry, if for it voted more no less as one third from constitutional composition of Supreme Soviet of Ukraine.

Conclusions and suggestions of temporal commissions of inquiry are not deciding for investigation and court.

Organization and order of activity of committees of Supreme Soviet of Ukraine, its temporal special and temporal commissions of inquiry is set by a law.

(article 89 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

**Article 90.** Plenary Powers of Supreme Soviet of Ukraine are halted in the day of opening of the first meeting of Supreme Soviet of Ukraine of a new convocation.

The president of Ukraine has a right before the appointed time to halt authority of Supreme Soviet of Ukraine, if:

1) during one month in Supreme Soviet of Ukraine coalition of deputy factions is not formed in accordance with the article 83 of this Constitution;

2) during sixty days after retirement of Cabinet of Ministers of Ukraine the personal composition of Cabinet of Ministers of Ukraine is not formed;

3) during thirty days of one duty session the plenary meetings can not begin.

Decision about ahead of shedule stopping of plenary powers of Supreme Soviet of Ukraine is made President of Ukraine after consultations with Chairman of Supreme Soviet of Ukraine, his deputies and chairmen of deputy factions in Supreme Soviet of Ukraine.

Authority of Supreme Soviet of Ukraine, that is select on the extraordinary elections conducted after ahead of shedule stopping by President of Ukraine of plenary powers of Supreme Soviet of Ukraine of previous convocation, can not be halted during one year from the day of its election.

Plenary Powers of Supreme Soviet of Ukraine can not be before the appointed time halted by President of Ukraine in the last six months of term of appointments of Supreme Soviet of Ukraine or President of Ukraine.

(article 90 in the release of Law of Ukraine from  
08.12.2004 N 2222-IV)

**Article 91.** Supreme Soviet of Ukraine passes acts, decisions and other acts by majority from its constitutional composition, except for the cases foreseen by this Constitution.

(in relation to participation of folk deputies of Ukraine in acceptance by Supreme Soviet of Ukraine of decisions official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of the article 91 from 17.10.2002 N 17-рп/2002)  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of the article 91 from 14.10.2003 N 16-рп/2003)

**Article 92.** Exceptionally by the laws of Ukraine is determined:

- 1) right and freedom of man and citizen, guarantee of these rights and freedoms; basic duties of citizen;
- 2) citizenship, правосуб'єктність of citizens, status of foreigners and persons without citizenship;
- 3) rights for native people and national minorities;
- 4) order of application of languages;
- 5) bases of the use of natural resources, exceptional (marine) economic area, continental shelf, mastering of space, organization and exploitation of grids, transport and communication;

6) bases of social defence, forms and types of the pension providing; bases of adjusting of labour and employment, marriage, family, guard of childhood, maternity, paternity; education, education, culture and health protection; ecological safety;

7) legal mode of own;

8) legal frameworks and guarantees of enterprise; rules of competition and norm of the antimonopoly adjusting;

9) bases of external зносин, foreign economic activity, custom business;

10) bases of adjusting of demographic and migratory processes;

11) bases of education and activity of political parties, other associations of citizens, mass medias;

12) organization and activity of organs of executive power, bases of government service, organizations of state statistics and informatics;

13) territorial mode of Ukraine;

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of the point 13 of the article 92 from 13.07.2001 N 11-рп/2001)

14) судоустрій, legal proceeding, status of judges, bases of judicial examination, organization and activity of office public of prosecutor, organs of inquest and investigation, нотаріату, organs and establishments of implementation of punishments; bases of organization and activity of advocacy;

15) bases of local self-government;

16) status of capital of Ukraine; special status of other cities;

17) bases of national safety, organizations of Armed Сил України and providing of public peace;

18) legal mode of state boundary;

19) legal mode of the military and extraordinary state, areas of extraordinary ecological situation;

20) organization and order of conducting of elections and referendums;

21) organization and order of activity of Supreme Soviet of Ukraine, status of folk deputies of Ukraine;

22) bases of civil liability; acts, which are the crimes, administrative or disciplinary offences, that responsibility, for them.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of the point 22 of part first of the article 92 from 30.05.2001 N 7-пп/2001)

Exceptionally by the laws of Ukraine is set:

- 1) The state budget of Ukraine and budgetary system of Ukraine; system of taxation, taxes and collections; bases of creation and functioning of financial, money, credit and investment markets; status of national currency, and also status of foreign currencies on territory of Ukraine; order of education and national internal and external debt retirement; order of issue and appeal of state securities, their prospects and types;
- 2) order of direction of subsections of Military Powers of Ukraine to other states; order of admittance and condition of stay of subsections of military powers of other states on territory of Ukraine;
- 3) unit of weight, measure and time; order of establishment of state standards;
- 4) order of the use and defence of state characters;
- 5) state rewards;
- 6) soldiery ranks, diplomatic grades and other special ranks;
- 7) state holidays;
- 8) order of education and functioning of the free and other special areas, which have the economic or migratory mode different from general.

The law of Ukraine declares amnesty.

**Article 93.** A right for initiation of bill in Supreme Soviet of Ukraine belongs to President of Ukraine, folk deputies of Ukraine and Cabinet of Ministers of Ukraine.

Bills certain by President of Ukraine as exigent are examined by Supreme Soviet of Ukraine extraordinarily.

(article 93 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

**Article 94.** A law signs Chairman of Supreme Soviet of Ukraine and without delay sends him to President of Ukraine.

The president of Ukraine during fifteen days after the receipt a law signs him, taking to implementation, and officially promulgates him or returns a law with the explained

and formulated suggestions in Supreme Soviet of Ukraine for the repeated consideration.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 94 from 07.07.98 N 11-пп/98)

In case if President of Ukraine during the set term did not turn a law for the repeated consideration, a law is considered the approved President of Ukraine and is to be signed and officially promulgated.

If during the repeated consideration a law will be again accepted by Supreme Soviet of Ukraine more no less as by the two third from its constitutional composition, President of Ukraine is under an obligation to sign him and officially promulgate during ten days. In case if President of Ukraine did not sign such law, he without delay is officially promulgated by Chairman of Supreme Soviet of Ukraine and is published after his signature.

(part fourth of the article 94 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

A law goes into effect in ten days from the day of his official legend to publicity, if other is not foreseen by a law, but not early than the day of his publishing.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to part fifth of the article 94 from 03.10.97 N 4-зп)

**Article 95.** The budgetary system of Ukraine is built on bases of the just and impartial distributing of public riches between citizens and territorial societies.

Exceptionally a law about the State budget of Ukraine determine some charges of the state on загальносуспільні necessities, size and having a special purpose direction of these charges.

The state aspires the budget of Ukraine to balanced.

Regular reports about profits and charges of the State budget of Ukraine are to be promulgated.

**Article 96.** The state budget of Ukraine becomes firmly established annually Supreme Soviet of Ukraine on a period from January, 1 for December, 31, and at the special circumstances - on other period.

Cabinet of Ministers of Ukraine not later than September, 15 of every year gives in Supreme Soviet of Ukraine the project of law about the State budget of Ukraine on a

next year. Together with the project of law the lecture about motion of implementation of the State budget of Ukraine of current year is given.

**Article 97.** Cabinet of Ministers of Ukraine in accordance with a law gives in Supreme Soviet of Ukraine a report about implementation of the State budget of Ukraine.

The given report is to be promulgated.

**Article 98.** Control on behalf of Supreme Soviet of Ukraine after the receipt of facilities in the State budget of Ukraine and the Account chamber carries out by their use.

(article 98 in the release of Law of Ukraine from  
08.12.2004 N 2222-IV)

**Article 99.** A hryvnya is the monetary item of Ukraine.

Providing of stability of monetary item is the basic function of central bank of the state - National bank of Ukraine.

**Article 100.** Advice of the National bank of Ukraine develops basic bases of monetary policy and carries out the control after its conducting.

Legal status of Advice of the National bank of Ukraine is determined by a law.

**Article 101.** The parliamentary control after inhibition of constitutional rights and freedoms of man and citizen carries out Empowered Supreme Soviet of Ukraine on human rights.

## **Section V PRESIDENT OF UKRAINE**

**Article 102.** The president of Ukraine is country's leader and comes forward from its name.

The president of Ukraine is the guarantor of state sovereignty, territorial integrity of Ukraine, inhibition of Constitution of Ukraine, rights and freedoms of man and citizen.

**Article 103.** The president of Ukraine is elected by the citizens of Ukraine on the basis of common, even and direct electoral law by the secret vote for a term of five years.

By the president of Ukraine the citizen of Ukraine, which attained thirty five years, can be select, has voice, lives in Ukraine during ten elections of years last before a day and owns an official language.

The same face can not be President of Ukraine more than two terms successively.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part third of the article 103 from 25.12.2003 N 22-рп/2003)

The president of Ukraine can not have other representative mandate, to hold a position in public authorities or in associations of citizens, and also to carry on other entrepreneurial activity paid or or enter in the complement of leading organ or observant advice of enterprise, that has for an object of receipt of income.

Duty elections of President of Ukraine are conducted in the last Sunday of the last month of fifth year of plenary powers of President of Ukraine. In the case of ahead of shedule stopping of plenary powers of President of Ukraine President of Ukraine elections in the period of ninety days from the day of stopping of plenary powers.

(part fifth of the article 103 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

Order of election President of Ukraine is established by a law.

**Article 104.** Новообраний President of Ukraine enters on a post not later than in thirty days after official announcement of results of elections, from the moment of складення of oath to the people on the solemn meeting of Supreme Soviet of Ukraine.

Adduction of President of Ukraine to the oath is carried out by Chairman of Constitutional Court of Ukraine.

The president of Ukraine kisses such book:

"I, (name and last name), by will of people select by President of Ukraine, taking the place on this high post, solemnly swear on loyalty to Ukraine. I am obligated by the all businesses to protect sovereignty and independence of Ukraine, care of blessing of Fatherland welfare of the Ukrainian people, to defend rights and freedoms of citizens, to restrain temper to Constitution of Ukraine and laws of Ukraine, discharge the duties in interests of all compatriots, bring authority of Ukraine in a world".

The president of Ukraine, select on extraordinary elections, kisses book in a five-day term after official announcement of results of elections.

(in relation to legal maintenance of the concepts "session" and "meeting" of Supreme Soviet of Ukraine and necessary amount of folk deputies on meeting присутніх of Ukraine official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to positions of the article 104 from 17.10.2002 N 17-рп/2002)

**Article 105.** The president of Ukraine uses a right for inviolability in a time of implementation of plenary powers.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 105 from 10.12.2003 N 19-рп/2003)

For encroachment on honour and dignity of President of Ukraine guilty persons are brought to account on the basis of law.

Rank of President of Ukraine is guarded by a law and is kept after him for the term of life, if only President of Ukraine was not removed from a post in order of імпичменту.

**Article 106.** President of Ukraine:

- 1) provides state independence, national safety and правонаступництво of the state;
- 2) applies with the messages to the people and with the annual and extraordinary messages in Supreme Soviet of Ukraine about internal and external position of Ukraine;
- 3) represents the state in the international relations, carries out guidance by foreign-policy activity of the state, negotiates and enters into international contracts of Ukraine;
- 4) makes decision about confession of the foreign states;
- 5) appoints and frees the heads of diplomatic representative offices of Ukraine in other states and at international organizations; adopts the вірчі and recall deeds of diplomatic representatives of the foreign states;
- 6) appoints an allukrainian referendum in relation to the changes of Constitution of Ukraine in accordance with the article 156 of this Constitution, proclaims an allukrainian referendum on folk initiative;
- 7) appoints extraordinary elections in Supreme Soviet of Ukraine in the terms set by this Constitution;
- 8) halts authority of Supreme Soviet of Ukraine in cases foreseen by this Constitution;  
(point 8 of part first of the article 106 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)
- 9) brings in on proposal of coalition of deputy factions in Supreme Soviet of Ukraine, formed in accordance with the article 83 of Constitution of Ukraine, picture of setting

by Supreme Soviet of Ukraine of prime Minister of Ukraine in time not later than on the fifteenth day after the receipt of such suggestion;

(point 9 of part first of the article 106 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

10) brings in in Supreme Soviet of Ukraine of picture of setting of Secretary of defence of Ukraine, Minister for foreign affairs Ukraine;

(point 10 of part first of the article 106 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

11) assigns for position and dismisses on the consent of Supreme Soviet of Ukraine of the General public prosecutor of Ukraine;

(point 11 of part first of the article 106 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

12) assigns for positions and dismisses the half of composition of Advice of the National bank of Ukraine;

(point 12 of part first of the article 106 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

13) assigns for positions and dismisses the half of composition of National advice of Ukraine on the questions of television and broadcast;

(point 13 of part first of the article 106 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

14) brings in in Supreme Soviet of Ukraine of picture of setting on position and dismisses Chapter of security Service of Ukraine;

(point 14 of part first of the article 106 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

15) stops action of acts of Cabinet of Ministers of Ukraine from the reasons of disparity to this Constitution with the simultaneous address to Constitutional Court of Ukraine in relation to their constitutional;

(point 15 of part first of the article 106 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

- 16) abolishes the acts of Council of ministers of the Autonomous Republic Crimea;  
(point 16 of part first of the article 106 in the release of  
Law of Ukraine from 08.12.2004 N 2222-IV)
- 17) it is Supreme Commander-in-chief of Military Powers of Ukraine; assigns for  
positions and dismisses more higher command of Military Powers of Ukraine, other  
soldieri formings; carries out guidance in the spheres of national safety and defensive  
of the state;
- 18) heads national security and defensive of Ukraine Council;
- 19) brings in in Supreme Soviet of Ukraine of picture of announcement of  
belligerency and in the case of the armed aggression against Ukraine Сил України  
makes decision about the use of Armed and soldiery formings other well-educated in  
accordance with the laws of Ukraine;  
(point 19 of part first of the article 106 in the release of  
Law of Ukraine from 08.12.2004 N 2222-IV)
- 20) accepts in accordance with the law of decision about general or partial  
mobilization and introduction of the military state in Ukraine or in separate its  
localities in the case of threat I will attack, dangers to state independence of Ukraine;
- 21) accepts in the case of necessity of decision about introduction in Ukraine or in  
separate its localities of the extraordinary state, and also declares in the case of  
necessity separate localities of Ukraine by the areas of extraordinary ecological  
situation - with a next claim of these decisions by Supreme Soviet of Ukraine;
- 22) assigns for positions and dismisses third of composition of Constitutional Court of  
Ukraine;  
(point 22 of part first of the article 106 in the release of  
Law of Ukraine from 08.12.2004 N 2222-IV)
- 23) forms courts in the procedure set by a law;
- 24) appropriates more higher soldiery ranks, more higher diplomatic grades and other  
more higher special ranks and class ranks;
- 25) rewards by state rewards; sets presidential differences and rewards by them;
- 26) makes decision about acceptance to citizenship of Ukraine and stopping of  
citizenship of Ukraine, about the grant of refuge in Ukraine;
- 27) carries out forgiveness;

28) creates within the limits of the facilities foreseen in the State budget of Ukraine, for realization of the plenary powers scientific, deliberative and auxiliary bodies and services;

29) signs the laws accepted by Supreme Soviet of Ukraine;

30) has a right for a veto in relation to accepted by Supreme Soviet of Ukraine of laws (except for laws about bringing of changes to Constitution of Ukraine) with a next returning of them on the repeated consideration of Supreme Soviet of Ukraine;  
(point 30 of part first of the article 106 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

31) carries out other plenary powers certain by Constitution of Ukraine.

The president of Ukraine can not delegate the authorities to other persons or organs.

The president of Ukraine on basis and on implementation of Constitution and laws of Ukraine gives out decrees and orders which are obligatory to implementation on territory of Ukraine.

Acts of President of Ukraine, given out within the limits of the plenary powers foreseen by the points 5, 18, 21, 23 this article, is clamped by the signatures of prime Minister of Ukraine and minister accountable for an act and his implementation.  
(part fourth of the article 106 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

**Article 107.** A national security and defensive of Ukraine council is a co-ordinating organ on the questions of national safety and defensive at President of Ukraine.

A national security and defensive of Ukraine council co-ordinates and controls activity of organs of executive power in the field of national safety and defensive.

President of Ukraine is Chairman of national security and defensive of Ukraine Council.

The personal composition of national security and defensive of Ukraine Council is formed by President of Ukraine.

In the complement of national security and defensive of Ukraine Council ex officio enter prime Minister of Ukraine, Secretary of defence of Ukraine, Chairman of security Service of Ukraine, Minister for internal affairs Ukraine, Minister for foreign affairs Ukraine.

Chairman of Supreme Soviet of Ukraine can take part in the council-boards national safety and defensive of Ukraine.

Decisions of national security and defensive of Ukraine Council are brought into action by the decrees of President of Ukraine.

Jurisdiction and functions of national security and defensive of Ukraine Council is determined by a law.

**Article 108.** The president of Ukraine executes the plenary powers to the entry on the post of новообраного President of Ukraine.

Plenary Powers of President of Ukraine are halted before the appointed time in time:

- 1) retirements;
- 2) impossibility to execute the plenary powers on the state a health;
- 3) removal from a post in order of імпичменту;
- 4) deaths.

**Article 109.** Retirement of President of Ukraine goes into effect from the moment of proclamation by him personally the statement about retirement on meeting of Supreme Soviet of Ukraine.

**Article 110.** Impossibility of implementation by President of Ukraine of the plenary powers on the state a health is to be set on meeting of Supreme Soviet of Ukraine and confirmed by the decision accepted by majority from its constitutional composition on the basis of writing presentation of Supreme Court of Ukraine - after the appeal of Supreme Soviet of Ukraine, and medical conclusion.

**Article 111.** The president of Ukraine can be removed from a post by Supreme Soviet of Ukraine in order of імпичменту in the case of accomplishing by him high treason or other crime.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 111 from 10.12.2003 N 19-рп/2003)

A question about the removal of President of Ukraine from a post in order of імпичменту is initiated by majority from constitutional composition of Supreme Soviet of Ukraine.

For the prosecution an inquiry Supreme Soviet of Ukraine sets up special temporal investigation committee, which the special public prosecutor and special investigators is included in the complement of.

Conclusions and suggestions of temporal commission of inquiry are examined on meeting of Supreme Soviet of Ukraine.

At presence of grounds Supreme Soviet of Ukraine more no less as from its constitutional composition makes decision the two third about accusation of President of Ukraine.

Decision about the removal of President of Ukraine from a post in order of імпичменту is made Supreme Soviet of Ukraine more no less as three fourth from its constitutional composition after verification of business by Constitutional Court of Ukraine and receipt of his conclusion in relation to inhibition of constitutional procedure of investigation and consideration of business about імпичмент and receipt of conclusion of Supreme Court of Ukraine that the acts, President of Ukraine is accused in which, contain the signs of high treason or other crime.

**Article 112.** In the case of ahead of shedule stopping of plenary powers of President of Ukraine in accordance with the articles 108, 109, 110, 111 this Constitution of implementation of duties of President of Ukraine on a period to election and entry on the post of a new President of Ukraine is laid on Head of Supreme Soviet of Ukraine. Chairman of Supreme Soviet of Ukraine in the period of implementation by him can not carry out the duties of President of Ukraine the plenary powers foreseen by the points 2, 6 - 8, 10 - 13, 22, 24, 25, 27, 28 articles 106 of Constitution of Ukraine.

(article 112 in the release of Law of Ukraine from  
08.12.2004 N 2222-IV)

## **Section VI**

### **CABINET OF MINISTERS OF UKRAINE. OTHER ORGANS OF EXECUTIVE POWER**

**Article 113.** Cabinet of Ministers of Ukraine is more higher organ in the system of organs of executive power.

Cabinet of Ministers of Ukraine is accountable to President of Ukraine and Supreme Soviet of Ukraine, підконтрольний and accountable to Supreme Soviet of Ukraine in the scopes foreseen by this Constitution.

Cabinet of Ministers of Ukraine in the activity follows this Constitution and laws of Ukraine, and also decrees of President of Ukraine and decisions of Supreme Soviet of Ukraine, accepted in accordance with Constitution and laws of Ukraine.

(article 113 in the release of Law of Ukraine from  
08.12.2004 N 2222-IV)

**Article 114.** In the complement of Cabinet of Ministers of Ukraine enter prime Minister of Ukraine, First vice-prime minister, vice-prime ministers, ministers.

The prime minister of Ukraine is appointed by Supreme Soviet of Ukraine after the giving of President of Ukraine.

A candidature for setting on position of prime Minister of Ukraine is brought in by President of Ukraine on proposal of coalition of deputy factions in Supreme Soviet of Ukraine, formed in accordance with the article 83 of Constitution of Ukraine, or deputy faction, which most from constitutional composition of Supreme Soviet of Ukraine folk deputies of Ukraine enter in the complement of.

Secretary of defence of Ukraine, Minister for foreign affairs Ukraine is appointed by Supreme Soviet of Ukraine after the giving of President of Ukraine, other Cabinet Ukraine ministers are appointed by Supreme Soviet of Ukraine after the giving of prime Minister of Ukraine.

The prime minister of Ukraine manages work of Cabinet of Ministers of Ukraine, sends her to implementation of Program of activity of Cabinet of Ministers of Ukraine approved by Supreme Soviet of Ukraine.

(article 114 in the release of Law of Ukraine from  
08.12.2004 N 2222-IV)

**Article 115.** Cabinet of Ministers of Ukraine makes authority before новообраною Supreme Soviet of Ukraine.

Prime minister of Ukraine, other Cabinet Ukraine ministers have a right to declare to Supreme Soviet of Ukraine about the retirement.

Retirement of prime Minister of Ukraine, have acceptance by Supreme Soviet of Ukraine of resolution of mistrust of Cabinet of Ministers of Ukraine by investigation retirement of all composition of Cabinet of Ministers of Ukraine. In these cases Supreme Soviet of Ukraine carries out forming of a new composition of Cabinet of Ministers of Ukraine in terms and in an order, that is certain by this Constitution.

Cabinet of Ministers of Ukraine, which laid down authority before новообраною Supreme Soviet of Ukraine or retirement of which is accepted by Supreme Soviet of Ukraine, continues to execute the plenary powers to beginning of work of новосформованого Cabinet of Ministers of Ukraine.

(article 115 in the release of Law of Ukraine from  
08.12.2004 N 2222-IV)

**Article 116.** Cabinet of Ministers of Ukraine:

1) provides state sovereignty and economic independence of Ukraine, realization of foreign policy of the state domestic and, implementation of Constitution and laws of Ukraine, acts of President of Ukraine;

2) takes measures in relation to providing of rights and freedoms of man and citizen;

- 3) provides pursuing a financial, price, investment and tax policy; policy in the spheres of labour and employment of population, social defence, education, science and culture, conservancy, ecological safety and природокористування;
- 4) develops and carries out the national programs of economic, scientific and technical, social and cultural development of Ukraine;
- 5) provides the even terms of development of all patterns of ownership; carries out the management by the objects of public domain in accordance with a law;
- 6) develops the project of law about the State budget of Ukraine and provides implementation of ratified by Supreme Soviet of Ukraine of the State budget of Ukraine, gives to Supreme Soviet of Ukraine a report about his implementation;
- 7) carries out measures on providing of обороноздатності and national safety of Ukraine, public peace, fight against criminality;
- 8) organizes and provides realization of foreign economic activity of Ukraine, custom business;
- 9) sends and co-ordinates work of ministries, other organs of executive power;
- 9<sup>1</sup>) forms, reorganizes and liquidates in accordance with the law of ministry and other central organs of executive power, operating within the limits of the facilities foreseen on maintenance of organs of executive power;  
(the article 116 is complemented by the point 9<sup>1</sup> pursuant to Law of Ukraine from 08.12.2004 N 2222-IV)
- 9<sup>2</sup>) assigns for positions and dismisses after the giving of prime Minister of Ukraine of leaders of central organs of executive power, which do not enter in the complement of Cabinet of Ministers of Ukraine;  
(the article 116 is complemented by the point 9<sup>2</sup> pursuant to Law of Ukraine from 08.12.2004 N 2222-IV)
- 10) carries out other plenary powers certain by Constitution and laws of Ukraine.  
(point 10 of the article 116 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

**Article 117.** Cabinet of Ministers of Ukraine within the limits of the jurisdiction gives out the decisions and orders which are obligatory to implementation.

Acts of Cabinet of Ministers of Ukraine are signed by prime Minister of Ukraine.

Legal Normatively acts of Cabinet of Ministers of Ukraine, ministries and other central organs of executive power registrations in the order set by a law are subject.

**Article 118.** Executive power in regions and districts, cities Kiev and Sevastopol carry out local state administrations.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 118 from 25.12.2003 N 21-pp/2003)

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 118 from 13.10.2005 N 9-pp/2005)

The features of realization of executive power in towns Kiev and Sevastopol are determined by the separate laws of Ukraine.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 118 from 25.12.2003 N 21-pp/2003)

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 118 from 13.10.2005 N 9-pp/2005)

Composition of local state administrations is formed by the chairmen of local state administrations.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part third of the article 118 from 25.12.2003 N 21-pp/2003)

The chairmen of local state administrations are assigned for position and is rid of position by President of Ukraine after the giving of Cabinet of Ministers of Ukraine.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part fourth of the article 118 from 25.12.2003 N 21-pp/2003)

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part fourth of the article 118 from 13.10.2005 N 9-pp/2005)

The chairmen of local state administrations during realization of the plenary powers are accountable to President of Ukraine and Cabinet of Ministers of Ukraine, accountable and підконтрольні to the organs of executive power of more higher level.

Local state administrations accountable and підконтрольні to advices in part of the plenary powers delegated to them by the proper regional soviets district or.

Local state administrations accountable and підконтрольні to the organs of executive power of more higher level.

Decision of goals of local state administrations, which conflict with Constitution and laws of Ukraine, other acts of legislation of Ukraine, can be in accordance with a law abolished by President of Ukraine or head of local state administration of more higher level.

A district soviet regional or can express the mistrust to the head of the proper local state administration, on the basis of what President of Ukraine makes decision and gives the grounded answer.

If the mistrust to the chairman of district or regional state administration was expressed by two third of deputies from composition of the proper advice, President of Ukraine makes decision about retirement of head of local state administration.

**Article 119.** Local state administrations on the proper territory are provided:

- 1) implementation of Constitution and laws of Ukraine, acts of President of Ukraine, Cabinet of Ministers of Ukraine, other organs of executive power;
- 2) legality and law and order; inhibition of rights and freedoms of citizens;
- 3) implementation of the government and regional programs of socio-economic and cultural development, programs of guard of environment, and in the places of compact residence of native people and national minorities - also programs of their національно-культурного development;
- 4) preparation and implementation of the proper regional and district budgets;
- 5) report about implementation of the proper budgets and programs;
- 6) I co-operate with the organs of local self-government;
- 7) realization of other given by the state, and also the plenary powers delegated by the proper advices.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 120 from 17.10.2002 N 16-pp/2002)

**Article 120.** Cabinet Ukraine Ministers, the leaders of central and local organs of executive power have no authority to combine the official activity with other work (except for teaching, scientific and creative work in позаробочий time), enter in the complement of leading organ or observant advice of enterprise or organization, that has for an object of receipt of income.

(part first of the article 120 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

Organization, authority and order of activity of Cabinet of Ministers of Ukraine, other central and local organs of executive power is determined by Constitution and laws of Ukraine.

## **Section VII OFFICE PUBLIC OF PROSECUTOR**

**Article 121.** An office public of prosecutor of Ukraine makes the unique system, on which is laid:

- 1) support of state accusation in a court;
- 2) representative office of interests of citizen or state in a court in cases certain by a law;
- 3) supervision after inhibition of laws by organs, which conduct оперативно-розшуково activity, inquest, досудове investigation;
- 4) supervision after inhibition of laws at implementation of court decisions on criminal businesses, and also at application of other measures of the forced character, related to limitation of the personal freedom of citizens;
- 5) supervision after inhibition of rights and freedoms of man and citizen, by inhibition of laws on these questions by the organs of executive power, organs of local self-government, their public and official servants.

(the article 121 is complemented by the point 5 pursuant to Law of Ukraine from 08.12.2004 N 2222-IV)

**Article 122.** An office public of prosecutor of Ukraine is headed by the General public prosecutor of Ukraine, which is assigned for position and is rid of position on the consent of Supreme Soviet of Ukraine by President of Ukraine. Supreme Soviet of Ukraine can express the mistrust to the General public prosecutor of Ukraine, that has by investigation his retirement from position.

(part first of the article 122 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

Term of appointments of the General public prosecutor of Ukraine - five years.

**Article 123.** Organization and order of activity of organs of office public of prosecutor of Ukraine is determined by a law.

## **Section VIII JUSTICE**

**Article 124.** Justice in Ukraine is carried out exceptionally by courts. Delegation of functions of courts, and also appropriation of these functions by other organs or public servants is shut out.

Jurisdiction of courts spreads on all legal relationships which arise up in the state.  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 124 from 25.12.1997 N 9-3п)  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 124 from 07.05.2002 N 8-pp/2002)  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 124 from 09.07.2002 N 15-pp/2002)

The legal proceeding is carried out by Constitutional Court of Ukraine and courts of general jurisdiction.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part third of the article 124 from 07.05.2002 N 8-pp/2002)

People directly take part in realization of justice through folk assessors and jurors.

Court decisions are made courts by the name of Ukraine and are obligatory to implementation on all territory of Ukraine.

**Article 125.** The system of courts of general jurisdiction in Ukraine is built on principles of territorial and specialization.

In the system of courts of general jurisdiction Supreme Court of Ukraine is the more highest judicial body.

The proper more higher courts are more higher judicial bodies of the specialized courts.

In accordance with a law county courts an appeal and are operated.

Creation of extraordinary and special courts is shut out.

**Article 126.** Independence and inviolability of judges is ensured by Constitution and laws of Ukraine.

(in intercommunication with other positions of section of a VIII Constitution of Ukraine official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 126 from 01.12.2004 N 19-рп/2004)

Influence on judges in some method is forbidden.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 126 from 01.12.2004 N 19-рп/2004)

There can not be the detained or prisoner judge without the consent of Supreme Soviet of Ukraine to the pronouncement of accusatory sentence of cramps.

Judges hold positions permanently, except for the judges of Constitutional Court of Ukraine and judges which are assigned for justiceship first.

A judge rids of position by an organ, that chose him or appointed, in time:

- 1) ending of term, on which he is select or appointed;
- 2) achievement by the judge of sixty five years;
- 3) impossibility to execute the plenary powers on the state a health;
- 4) violation by the judge of requirements in relation to incompatibility;
- 5) violation by the judge of oath;
- 6) set of legal force by the accusatory sentence in relation to him;
- 7) stopping of his citizenship;
- 8) confession of him obscurely absent or announcement deceased;
- 9) picture by the judge of statement of retirement or about dismisses of own free will.

Plenary powers of judge are halted in the case of his death.

The state provides the personal safety of judges and their families.

**Article 127.** Justice is carried out by professional judges and, in cases certain by a law, folk assessors and jurors.

Professional judges can not belong to political parties and trade unions, take part in some political activity, have a representative mandate, hold some other paid positions, execute other paid work, except for scientific, teaching and creative.

There can be recommended by the qualifying commission of judges the citizen of Ukraine on justiceship, not more junior twenty five years, which has more higher legal education and experience of work in the field of law more no less as three years, lives in Ukraine more no less as ten years and owns an official language.

Specialized courts faces which have professional preparation on the questions of jurisdiction of these courts can arbitrate. These judges administer law only in composition the colleges of judges.

Additional requirements to the separate categories of judges in relation to experience, age and their professional level is set by a law.

Defence of professional interests of judges is carried out in the order set by a law.

**Article 128.** The first setting on position of professional judge for a term of five years is carried out by President of Ukraine. All other judges, except for the judges of Constitutional Court of Ukraine, are elected by Supreme Soviet of Ukraine permanently, in the order set by a law.

Chairman of Supreme Court of Ukraine is elected on position and is rid of position by the secret vote by Plenum of Supreme Court of Ukraine in the order set by a law.

**Article 129.** Judges during realization of justice are independent and submit only to the law.

The legal proceeding is carried out by a judge individually, by the college of judges or court of jurors.

Basic bases of the legal proceeding are:

- 1) legality;
- 2) equality of all participants of trial before a law and court;
- 3) providing of proved of guilt;
- 4) змагальність of sides and freedom in the grant by them court of the proofs and in leading to before the court of their persuasiveness;

- 5) support of state accusation in a court by a public prosecutor;
- 6) providing to обвинуваченому of right of defence;
- 7) publicity of trial and his complete fixing by hardwares;
- 8) providing of statutory and appeal appeal of decision of court, except for the cases set by a law;
- 9) obligatory of decisions of court.

By a law other principles of the legal proceeding in the courts of separate judicial jurisdictions can be certain also.

For the contempt of court and judge guilty persons are brought to legal account.

**Article 130.** The state provides financing and proper terms for functioning of courts and activity of judges. Charges on maintenance of courts are separately determined In the State budget of Ukraine.

For the decision of questions of internal activity of courts operates judge self-government.

**Article 131.** More Higher advice of justice operates in Ukraine, to knowing of which belongs:

- 1) bringing of picture of setting of judges on positions or about liberation of them from positions;

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of the point 1 of part first of the article 131 from 16.10.2001 N 14-рп/2001)

- 2) decision-making in relation to violation by judges and public prosecutors of requirements in relation to incompatibility;

- 3) realization of disciplinary production in relation to Circuit of Ukraine justices and judges of the more higher specialized courts and consideration of complaints about the decision about bringing in to disciplinary responsibility of judges of county courts an appeal and, and and also public prosecutors.

More higher advice of justice consists of twenty members. Supreme Soviet of Ukraine, President of Ukraine, convention of judges of Ukraine, convention of advocates of Ukraine, convention of representatives of legal more higher educational establishments and scientific establishments is appointed in more Higher advice of justice on three members, and allukrainian conference of workers of office public of prosecutor - two members of more Higher advice of justice.

In the complement of more Higher advice of justice enter ex officio Chairman of Supreme Court of Ukraine, Minister of justice of Ukraine, General public prosecutor of Ukraine.

## **Section IX**

### **TERRITORIAL MODE OF UKRAINE**

**Article 132.** The territorial mode of Ukraine is based on bases of unity and integrity of state territory, combination of centralization and decentralization in realization of state authority, balanced and socio-economic development of regions, taking into account their historical, economic, ecological, geographical and demographic features, ethnic and cultural traditions.

**Article 133.** The system of the administrative-territorial mode of Ukraine is made: Autonomous Republic Crimea, regions, districts, cities, districts in towns, settlements and villages.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 133 from 13.07.2001 N 11-рп/2001)

In the complement of Ukraine enter: Autonomous Republic Crimea, Winnitca, Волинська, Днепропетровск, Donetsk, Житомирська, Закарпатська, Zaporozhian, Ivano-Francovsk, Kiev, Кіровоградська, Lugansk, Lvov, Миколаївська, Odessa, Poltava, Рівненська, Сумська, Тернопільська, Kharkov, Kherson, Хмельницька, Черкаська, Чернівецька, Chernigov regions, cities Kiev and Sevastopol.

The Cities Kiev and Sevastopol have the special status which is determined by the laws of Ukraine.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part third of the article 133 from 25.12.2003 N 21-рп/2003)

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part third of the article 133 from 13.10.2005 N 9-рп/2005)

## **Section X**

### **AUTONOMOUS REPUBLIC CRIMEA**

**Article 134.** The Autonomous Republic Crimea is inalienable component part of Ukraine and within the limits of plenary powers certain by Constitution of Ukraine, decides the questions attributed to its knowing.

**Article 135.** The Autonomous Republic Crimea has Constitution of the Autonomous Republic Crimea, which Supreme Soviet of the Autonomous Republic Crimea adopts and Supreme Soviet of Ukraine more no less as by a half from constitutional composition of Supreme Soviet of Ukraine asserts.

The legal Normatively acts of Supreme Soviet of the Autonomous Republic Crimea and decision of Council of ministers of the Autonomous Republic Crimea can not conflict with Constitution and laws of Ukraine and is accepted in accordance with Constitution of Ukraine, laws of Ukraine, acts of President of Ukraine and Cabinet of Ministers of Ukraine and on their implementation.

**Article 136.** Supreme Soviet of the Autonomous Republic Crimea is the representative organ of the Autonomous Republic Crimea.

Supreme Soviet of the Autonomous Republic Crimea within the limits of the plenary powers makes decision and decisions which are obligatory to implementation in the Autonomous Republic Crimea.

Council of ministers of the Autonomous Republic Crimea is Government of the Autonomous Republic Crimea. Chairman of Council of ministers of the Autonomous Republic Crimea is assigned for position and is rid of position by Supreme Soviet of the Autonomous Republic Crimea on the concordance with President of Ukraine.

Authority, order of forming and activity of Supreme Soviet of the Autonomous Republic Crimea and Council of ministers of the Autonomous Republic Crimea, is determined by Constitution of Ukraine and laws of Ukraine, legal normatively acts of Supreme Soviet of the Autonomous Republic Crimea on the questions attributed to its jurisdiction.

Justice in the Autonomous Republic Crimea is carried out by courts which belong to the unique system of courts of Ukraine.

**Article 137.** The Autonomous Republic Crimea carries out the normative adjusting on questions:

- 1) agriculture and forests;
- 2) land-reclamation and quarries;
- 3) social works, handicrafts and trades; благодійництва;
- 4) town-planning and housing economy;
- 5) tourism, hotel business, fairs;
- 6) museums, libraries, theaters, other establishments of culture, історико-культурних preserves;
- 7) transport of the common use, motorways, plumbings;

8) hunts, fishings;

9) sanitary and hospital corps.

From the reasons of disparity of legal normatively acts of Supreme Soviet of the Autonomous Republic Crimea of Constitution of Ukraine and laws of Ukraine President of Ukraine can stop action of these legal normatively acts of Supreme Soviet of the Autonomous Republic Crimea with the simultaneous address to Constitutional Court of Ukraine in relation to their constitutional.

**Article 138.** Before knowing of the Autonomous Republic Crimea belongs:

1) setting of elections of deputies of Supreme Soviet of the Autonomous Republic Crimea, claim of selection committee composition of the Autonomous Republic Crimea;

2) organization and conducting of local referendums;

3) property management, that belongs to the Autonomous Republic Crimea;

4) development, assertion and implementation of budget of the Autonomous Republic Crimea on the basis of single fiscal policy of Ukraine a tax and;

5) development, assertion and realization of the programs of the Autonomous Republic Crimea on the questions of socio-economic and cultural development, rational природокористування, guard of environment - in accordance with the national programs;

6) confession of status of localities as resorts; establishment of areas of sanitary guard of resorts;

7) there is participation in providing of rights and freedoms of citizens, national consent, assistance to the guard of law and order and public safety;

8) providing of functioning and development of state and national languages and cultures in the Autonomous Republic Crimea; guard and use of sights of history;

9) there is participation in development and realization of the government programs of returning of the deported people;

10) initiation of introduction of the extraordinary state and establishment of areas of extraordinary ecological situation in the Autonomous Republic Crimea or in separate its localities.

By the laws of Ukraine to the Autonomous Republic Crimea other plenary powers can be delegated also.

**Article 139.** In the Autonomous Republic Crimea operates representative Office of President of Ukraine, status of which is determined by the law of Ukraine.

## **Section XI**

### **LOCAL SELF-GOVERNMENT**

**Article 140.** Local self-government is a right for territorial society - habitants of village or voluntarily association in rural community of habitants of a few villages, settlement and city - independently to decide the question of local value within the limits of Constitution and laws of Ukraine.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to positions of part first of the article 140 from 18.06.2002 N 12-pp/2002)

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 140 from 25.12.2003 N 21-pp/2003)

The features of realization of local self-government in towns Kiev and Sevastopol are determined by the separate laws of Ukraine.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 140 from 25.12.2003 N 21-pp/2003)

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 140 from 13.10.2005 N 9-pp/2005)

Local self-government is carried out by territorial society in the order set by a law, both directly and through the organs of local self-government: village, settlement, city soviets and their executive branches.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part third of the article 140 from 25.12.2003 N 21-pp/2003)

By the organs of local self-government, that are of general interests of territorial societies of villages, settlements and cities, there are regional soviets district and.

The question of organization of management by districts in towns belongs to jurisdiction of city advices.

(to position of part fifth of the article 140, in system communication with the articles 142, 143, official interpretation in obedience to the decision of Constitutional Court of Ukraine is given from 13.07.2001 N 11-pp/2001)

Village, settlement, city soviets can allow on initiative habitants to create the household, street, quarterly et al organs of самоорганізації of population and provide them with part of own jurisdiction, finances, property.

**Article 141.** Deputies, which are elected by the habitants of village, settlement, city, district, region on the basis of common, even, direct electoral law by the secret vote for a term of five years, enter in the complement of village, settlement, city, district, regional soviet.

(part first of the article 141 in the release of Law of Ukraine from 08.12.2004 N 2222-IV)

Territorial societies on the basis of common, even, direct electoral law by the secret vote elect for a term of four years accordingly a rural, settlement and city chairman which heads the executive branch of advice and presides on its meetings.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 141 from 25.12.2003 N 21-pp/2003)

Status of heads, deputies and executive branches of advice and their plenary powers, order of education, reorganization, liquidations are determined by a law.

Chairman of district that head of regional soviet is elected by the proper advice and is headed the executive vehicle of advice.

**Article 142.** The personal and immovable chattels, profits of local budgets, other facilities, earth, natural resources, which are in own of territorial societies of villages, settlements, cities, districts in towns, are material and financial basis of local self-government, and also objects of their common property, that are in the management of regional soviets district and.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part first of the article 142 from 13.07.2001 N 11-pp/2001)

Territorial societies of villages, settlements and cities can unite on contractual bases the objects of community property, and also facilities of budgets for implementation of general projects or for the common financing (table of contents) of communal enterprises, organizations and establishments, to create the proper organs and services for this purpose.

The state takes part in forming of profits of budgets of local self-government, financially supports local self-government. The charges of organs of local self-government, that arose up as a result of decisions of public authorities, are compensated by the state.

**Article 143.** Territorial societies of village, settlement, cities directly or through the organs of local self-government well-educated by them manage property, that is in community property; assert the programs of socio-economic and cultural development and control their implementation; assert the budgets of the proper administrative-territorial units and control their implementation; community charges and collections are set in accordance with a law; conducting of local referendums and realization of their results is provided; form, reorganize and liquidate communal enterprises, organizations and establishments, and also the control is carried out after their activity; other questions of local value are decided, taken by a law to their jurisdiction.

District soviets regional and assert the programs of socio-economic and cultural development of the proper regions and districts and control their implementation; district and regional budgets, which are formed from facilities of the state budget for their proper distributing between territorial societies or for implementation of general projects and from the facilities attracted on contractual bases from local budgets for realization of the general socio-economic and cultural programs, are asserted, and their implementation is controlled; other questions taken by a law to their jurisdiction are decided.

The organs of local self-government can get a law separate plenary powers of organs of executive power. The state finances realization of these plenary powers in full due to facilities of the State budget of Ukraine or by taking in a local budget in the order of separate national taxes set by a law, passes the proper objects of public domain to the organs of local self-government.

Organs of local self-government on the questions of realization by them plenary powers of organs of executive power підконтрольні to the proper organs of executive power.

**Article 144.** The organs of local self-government within the limits of plenary powers certain by a law make decisions which are obligatory to implementation on the proper territory.

Decision of organs of local self-government from the reasons of their disparity of Constitution or to the laws of Ukraine is stopped in the order set by a law with the simultaneous address to the court.

**Article 145.** Rights for local self-government are on the defensive in a judicial order.

**Article 146.** Other questions of organization of local self-government, forming, activity and responsibility of organs of local self-government is determined by a law.

## **Section XII CONSTITUTIONAL COURT OF UKRAINE**

**Article 147.** Constitutional Court of Ukraine is the unique organ of constitutional jurisdiction in Ukraine.

Constitutional Court of Ukraine decides a question about accordance of laws and other legal acts of Constitution of Ukraine and gives official interpretation of Constitution of Ukraine and laws of Ukraine.

**Article 148.** Constitutional Court of Ukraine consists of eighteen judges of Constitutional Court of Ukraine.

The president of Ukraine, Supreme Soviet of Ukraine and convention of judges of Ukraine, appoint on six judges of Constitutional Court of Ukraine.

Constitutional Court of Ukraine the citizen of Ukraine, which on the day of setting attained forty years, can arbitrate, has more higher legal education and experience of work on speciality more no less as ten years, lives in Ukraine during the last twenty years and owns an official language.

Judge of Constitutional Court of Ukraine is assigned for nine years without a right to be appointed on the repeated term.

Chairman of Constitutional Court of Ukraine is elected on the special plenary session of Constitutional Court of Ukraine from composition of judges of Constitutional Court of Ukraine by the secret vote only on one three-year term.

**Article 149.** The guarantees of independence and inviolability, foundation in relation to the release from position, foreseen by the article 126 of this Constitution, and requirement in relation to incompatibility spread on the judges of Constitutional Court of Ukraine, certain in part second of the article 127 of this Constitution.

**Article 150.** To plenary powers of Constitutional Court of Ukraine belongs:

1) decision of questions about accordance of Constitution of Ukraine (constitutional):

laws and other legal acts of Supreme Soviet of Ukraine;

acts of President of Ukraine;

(by position of indentions of the second, third point 1 of part first of the article 150 of Constitution of Ukraine in system communication with the articles 147, 152 Constitutions of Ukraine are given official interpretation in obedience to the decision of Constitutional Court of Ukraine from 27.03.2002 N 7-пп/2002)

acts of Cabinet of Ministers of Ukraine;

legal acts of Supreme Soviet of the Autonomous Republic Crimea.

These questions are examined after the appeals: President of Ukraine; more no less as forty five folk deputies of Ukraine; Supreme Court of Ukraine; Empowered Supreme Soviet of Ukraine on human rights; Supreme Soviet of the Autonomous Republic Crimea;

2) official interpretation of Constitution of Ukraine and laws of Ukraine.

On the questions foreseen by this article, Constitutional Court of Ukraine makes decisions which are obligatory to implementation on territory of Ukraine, final and can not be appealed.

(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of part second of the article 150 from 14.12.2000 N 15-pp/2000)

**Article 151.** Constitutional Court of Ukraine after the appeal of President of Ukraine or Cabinet of Ministers of Ukraine gives conclusions about accordance of Constitution of Ukraine of running international agreements of Ukraine or those international agreements which are brought in in Supreme Soviet of Ukraine for the grant of consent on their obligatory.

After the appeal of Supreme Soviet of Ukraine Constitutional Court of Ukraine gives a conclusion in relation to inhibition of constitutional procedure of investigation and consideration of business about the removal of President of Ukraine from a post in order of імпичменту.

**Article 152.** Laws and other legal acts in decision of Constitutional Court of Ukraine are acknowledged unconstitutional fully or in separate part, if they do not answer Constitution of Ukraine or if was broken set by Constitution of Ukraine procedure of their consideration, acceptance or entry by them in force.

Laws, other legal acts or their separate positions which are acknowledged unconstitutional, action is lost from the day of acceptance by Constitutional Court of Ukraine of decision about their unconstitutional.

Material or moral harm, inflicted to the physical or legal persons by acts and actions which are acknowledged unconstitutional, is compensated by the state in the order set by a law.

**Article 153.** Order of organization and activity of Constitutional Court of Ukraine, procedure of consideration by him businesses is determined by a law.

## **Section XIII**

### **BRINGING OF CHANGES TO CONSTITUTION OF UKRAINE**

**Article 154.** A bill about bringing of changes to Constitution of Ukraine can be given in Supreme Soviet of Ukraine by President of Ukraine or more no less as by third of folk deputies of Ukraine from constitutional composition of Supreme Soviet of Ukraine.

**Article 155.** Bill about bringing of changes to Constitution of Ukraine, except for a section And "General bases", section III "Elections. Referendum" and section of a XIII "Bringing of changes to Constitution of Ukraine", preliminary approved by majority from constitutional composition of Supreme Soviet of Ukraine, is considered accepted, if on a next duty session of Supreme Soviet of Ukraine for him voted more no less as two third from constitutional composition of Supreme Soviet of Ukraine.

**Article 156.** Bill about bringing of changes to the section And "General bases", section III "Elections. Referendum" and to the section of a XIII "Bringing of changes to Constitution of Ukraine" is given in Supreme Soviet of Ukraine by President of Ukraine or more no less as by the two third from constitutional composition of Supreme Soviet of Ukraine and, on condition of his acceptance more no less as by the two third from constitutional composition of Supreme Soviet of Ukraine, becomes firmly established an allukrainian referendum which is appointed by President of Ukraine.

Repeated picture of bill of bringing of changes to the sections And, III and XIII this Constitution on the same question possible only in Supreme Soviet of Ukraine of a next convocation.

**Article 157.** Constitution of Ukraine can not be changed, if the changes foresee abolition or limitation of rights and freedoms of man and citizen or if they are directed on liquidation of independence or on violation of territorial integrity of Ukraine.

Constitution of Ukraine can not be changed in the conditions of the military or extraordinary state.

**Article 158.** Bill about bringing of changes to Constitution of Ukraine, which was examined by Supreme Soviet of Ukraine, and a law was not accepted, can be given in Supreme Soviet of Ukraine not earlier than in a year from the day of decision-making in relation to this bill.

Supreme Soviet of Ukraine during the term of the appointments can not twice change the same positions of Constitution of Ukraine.

(official interpretation in obedience to the decision of  
Constitutional Court is given to position of part second of  
the article 158 from 09.06.98 N 8-пп/98)

**Article 159.** A bill about bringing of changes to Constitution of Ukraine is examined by Supreme Soviet of Ukraine at presence of conclusion of Constitutional Court of

Ukraine in relation to accordance of bill to the requirements of the articles 157 and 158 of this Constitution.

(official interpretation in obedience to the decision of Constitutional Court is given to position of the article 159 from 09.06.98 N 8-пп/98)

#### **Section XIV**

### **EVENTUAL STATUTES**

**Article 160.** Constitution of Ukraine goes into effect from the day of its acceptance.  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to position of the article 160 from 03.10.97 N 4-3п)

**Article 161.** The day of acceptance of Constitution of Ukraine is a state holiday - Day Constitutions of Ukraine.

#### **Section XV**

### **TRANSITIONAL STATUTES**

1. Laws and other normative acts accepted to acquisition action by this Constitution are operating in part, that does not conflict with Constitution of Ukraine.
2. Supreme Soviet of Ukraine after acceptance of Constitution of Ukraine carries out the plenary powers foreseen by this Constitution.

Duty elections in Supreme Soviet of Ukraine are conducted in March, 1998.  
(official interpretation in obedience to the decision of Constitutional Court of Ukraine is given to the point 2 of Transitional positions from 13.05.97 N 1-3п)

3. Duty elections of President of Ukraine are conducted in the last Sunday October, 1999.
4. The president of Ukraine during three years after acquisition action by Constitution of Ukraine has a right to give out approved by Cabinet of Ministers of Ukraine and decrees on economic questions not well-regulated by laws are clamped by the signature of prime Minister of Ukraine, with simultaneous presentation of the proper bill in Supreme Soviet of Ukraine in the order set by the article 93 of this Constitution.

Such decree of President of Ukraine enters in action, if during thirty calendar days from the day of presentation of bill (except for the days of inter-session period)

Supreme Soviet of Ukraine will not pass an act or will not throw out a given bill by majority from its constitutional composition, and operates to the entry in force by the law accepted by Supreme Soviet of Ukraine on these questions.

5. Cabinet of Ministers of Ukraine is formed in accordance with this Constitution during three months after acquisition by her action.

6. Constitutional Court of Ukraine is formed in accordance with this Constitution during three months after acquisition by her action. Supreme Soviet of Ukraine carries out before creation of Constitutional Court of Ukraine of interpretation of laws.

7. The chairmen of local state administrations after acquisition action by this Constitution acquire status of goals of local state administrations pursuant to the article 118 of this Constitution, and after election of goals of the proper advices authority of goals of these advices is made.

8. Village, settlement, city soviets and chairmen of these advices after acquisition action by Constitution of Ukraine carry out plenary powers certain by her to election of a new composition of these advices in March, 1998.

District and regional soviets select to acquisition action by this Constitution carry out plenary powers certain by her to formation of a new composition of these advices in accordance with Constitution of Ukraine.

Soviets and chairmen of these advices after acquisition action district in towns by this Constitution carry out the plenary powers in accordance with a law.

9. An office public of prosecutor continues to execute the function of supervision after inhibition and application of laws and function of preliminary investigation in accordance with laws in force - to introduction in action of laws which regulate activity of state organs in relation to the control after inhibition of laws, and to formation of the system of досудового investigation and introduction in action of laws which regulate its functioning.

10. Before acceptance of laws which determine the features of realization of executive power in towns Kiev and Sevastopol in accordance with the article 118 of this Constitution, executive power in these towns is carried out by the proper state administrations.

11. Part first of the article 99 of this Constitution is brought into action after introduction of national monetary item - hryvnya.

12. Supreme Court of Ukraine and more Higher arbitration court of Ukraine carry out the plenary powers in accordance with the current legislation of Ukraine to formation of the system of courts of general jurisdiction in Ukraine in accordance with the article 125 of this Constitution, but not longer than five years.

The judges of all courts in Ukraine, select or appointed to the day of acquisition action by this Constitution, continue to carry out the plenary powers pursuant to the current legislation to ending of term, on which they are select or appointed.

Judges, plenary powers of which, ended in the day of acquisition action by this Constitution, continue to carry out the plenary powers during one year.

13. During five years after acquisition action the present system of arrest, holding under a guard and detention of the persons suspected in the commission of crime is kept this Constitution, and also order of conducting of review and search of habitation or other domain of person.

14. The use of existent soldiery bases on territory of Ukraine for the sojourn of the foreign soldiery formations is possible subject to the conditions lease in an order certain by the international agreements of Ukraine, ratified by Supreme Soviet of Ukraine.

\* \* \*

**Constitution of Ukraine**  
**accepted on the fifth session of Supreme Soviet of Ukraine**  
**on June, 28, 1996**