



LEGISLATIVE MONITORING IN THE AREA OF MIGRATION AND BORDER MANAGEMENT for January 2018

Legislative act or draft	Status (date of approval/further consideration)	Short overview
Law of Ukraine "On approval of the decision of the President of Ukraine on the admission of units of the armed forces of other countries to the territory of Ukraine in 2018 for participation in multinational military exercises" No. 2270-VIII of 18 January 2018	Entered into force on 30 January 2018	The Law regulates the issue of the admission of units of the armed forces of other states to the territory of Ukraine in 2018 to participate in multinational military exercises, determines their total number, types and quantities of weapons, military equipment, terms of stay and places of disposition for the duration of the exercises.
Law of Ukraine "On the State Budget of Ukraine for 2018" No. 2246-VIII of 7 December 2017	Entered into force on 1 January 2018	The State Budget provides for expenditures for relevant budget programs in the field of migration and border management.
Law of Ukraine "On amendments to certain legislative acts of Ukraine on strengthening the protection of the right of the child to proper support by improving the procedure for enforced collection of the alimony arrear" No. 2234-VIII of 7 December 2017	Entered into force on 6 February 2018, separate provisions on 7 January 2018	<p>The Law aims to ensure the proper implementation of decisions on the recovery of child maintenance, in particular, by making relevant changes to the Law of Ukraine "On enforcement proceedings". So, among other things, the procedure for establishing a temporary restriction on the right of the debtor's departure from Ukraine is simplified: if there is an arrears in the payment of alimony in the amount that collectively exceeds the amount of the corresponding payments for six months, the state executor issues a resolution establishing a temporary limitation of the debtor in the right to travel outside Ukraine before the payment of alimony in full.</p> <p>It also envisages simplification of the order of temporary departure of the child abroad, namely the Family Code of Ukraine is supplemented by a new rule according to which the parent with whom the child resides independently decides on the issue of the temporary departure of the child outside Ukraine for the purpose of medical treatment, studying abroad, vacation, in the presence of a certificate issued by the body of the state executive service, on the existence of debts for the payment of alimony, the aggregate amount of which exceeds the amount of the corresponding payments for six months.</p>

<p>Draft Law of Ukraine "On Amendments to Article 165 of the Tax Code of Ukraine (regarding the inclusion of income received from renting the housing out to an internally displaced person, to the list of incomes not included in the calculation of the total monthly (annual) taxable income)" (No. 7522 of 23 January 2018, S.V. Shakhov)</p>	<p>Provided for familiarization on 26 January 2018</p>	<p>The draft law is intended to help with solving housing problems of internally displaced persons (IDPs), as well as to create the conditions under which such persons would not face the possible discriminatory (in comparison with other potential tenants) attitudes towards them by landlords.</p> <p>To this end, it is proposed to amend the Tax Code of Ukraine by establishing that the income of the taxpayer received in the form of payment for renting out (providing for use) a residential building, apartment or part thereof, a room, a country house (including the land plot where such objects are located, as well as household buildings and buildings located on this plot of land), to the IDP and/or the person whose address of the registered place of residence is located on the temporarily occupied territory of Ukraine, or on the territory of a settlement where the state authorities temporarily do not exercise their powers, or on the territory of the settlement located on the line of collision, is not included to the total monthly (annual) taxable income.</p>
<p>Draft Law of Ukraine "On amendments to the Tax Code of Ukraine (concerning the elimination of discrimination of internally displaced persons in related to rental of housing)" (No. 7522-1 dated 30 January 2018, N.V. Veselova)</p>	<p>Provided for familiarization on 1 February 2018</p>	<p>This draft law is an alternative to the previous one and has the same goal – to help solve the housing problems of internally displaced persons. To this end, it is proposed to make amendments to the Tax Code of Ukraine, establishing that the total monthly (annual) taxable income of the taxpayer does not include income received as a fee for renting out (providing for use) a house, an apartment or part thereof, a room, a country house (including the land plot on which such facilities are located, as well as household facilities and buildings located on this land plot).</p>
<p>Draft Law of Ukraine "On amendments to some laws of Ukraine concerning certain issues in the organization of the activity of the State Border Guard Service of Ukraine" (No. 7527 of 24 January 2018, M.P. Palamarchuk, V.M. Korol, V.O. Ishchenko)</p>	<p>Provided for familiarization on 26 January 2018</p>	<p>The purpose of the draft law is to improve the measures taken by the State Border Guard Service to counter the offenses at the state border and other offenses in the border area, by amending and supplementing the laws of Ukraine "On the State Border Guard Service of Ukraine", "On counterintelligence", "On combating terrorism", "On border control".</p> <p>In particular, provision is made for the right to use the means of visual and technical observation and fixation, technical means of border control, lighting and signaling means, other technical means of protection of the state border, as well as engineering structures and barriers; the right to unblock and/or to stop illegal actions in the event of blocking border crossing points through the state border, military towns and authorities of the State Border Guard Service of Ukraine.</p>
<p>Draft Law of Ukraine "On amendments to the Law of</p>	<p>Provided for familiarization</p>	<p>The developer of the draft law notes that in applying</p>

<p>Ukraine "On employment of the population" (regarding the employment of foreigners and stateless persons in Ukraine) (No. 7529 of 25 January 2018, O.V. Drozdyk)</p>	<p>on 29 January 2018</p>	<p>the Law of Ukraine "On amendments to certain legislative acts of Ukraine concerning elimination of barriers for attraction of foreign investments", which entered into force on 27 September 2017, there was a series of conflicts of legal provisions in the course of their application, in particular, in terms of issuance, extension and revocation of work permits for foreigners and stateless persons; the establishment of the amount of wages during the issuance and extension of the permit, specification of the list of documents submitted for obtaining a permit for the employment of seconded personnel etc.</p> <p>Thus, the purpose of the adoption of the draft law is to develop unified approaches for the practical application of the provisions of the Law, as well as to improve the existing mechanism for issuance, extension and cancellation, as well as the loss of permits for the employment of foreigners and stateless persons; determination of the procedure and terms of appeal of decisions of regional employment centers; the application of the rules of the Law on the determination of the amount of wages of foreign workers during the extension of the permit, the list of documents submitted for obtaining a permit for the employment of seconded foreign personnel etc.</p>
<p>Draft Law of Ukraine "On amendments to certain legislative acts of Ukraine concerning the conducting of economic activity of facilitation of the employment abroad" (No. 6275-d of 24 January 2018, L.L. Denisova, I.S. Lutsenko, S.M. Kaplin and others)</p>	<p>Sent to the Committee for review on 25 January 2018</p>	<p>It is expected that the implementation of this revised draft law will provide an opportunity to monitor the activities of business entities providing facilitation services in employment abroad and serve as an effective means of combating trafficking in human beings. To this end, it is proposed to: grant to the central executive body that ensures the formation and implementation of state policy in the field of employment and labor migration (Ministry of Social Policy of Ukraine) the authority to control the compliance of licensees with licensing terms; draw up protocols on administrative violations; to establish administrative responsibility for violating the licensee's license terms and for non-compliance with legal requirements of officials to eliminate violations of the legislation on licensing mediation in employment abroad; establish financial liability for violating licensee's license terms etc.</p>
<p>Resolution of the Cabinet of Ministers of Ukraine of 17 January 2018 No.20 "On amendments to the procedures approved by the Resolution of the Cabinet of Ministers of Ukraine of 31 March 2004 No. 422"</p>	<p>Entered into force on 23 January 2018</p>	<p>The Resolution amended the Procedure for the formation of housing funds for temporary residence and the Procedure for the provision and use of residential premises from housing funds for temporary residence, extending their effect on IDPs. Adoption of this resolution should help to ensure the rights of IDPs for housing for temporary residence.</p>
<p>Resolution of the Cabinet of Ministers of Ukraine of</p>	<p>Entered into force on</p>	<p>In order to strengthen the social protection of</p>

<p>17 January 2018 No.15 "On amendments to paragraph 3 of the Procedure for the provision of monthly targeted assistance to internally displaced persons to cover housing costs, including for payment of housing and communal services"</p>	<p>20 January 2018</p>	<p>certain categories of IDPs the resolution increases the assistance paid to them: the amount of cash aid for children and pensioners has been increased up to UAH 1,000, and the capping of the total amount of such assistance paid to the family has been increased up to UAH 3,000; for a family which includes persons with disabilities or children with disabilities up to UAH 3,400 and up to UAH 5,000 for multi-child families.</p>
<p>Resolution of the Cabinet of Ministers of Ukraine of 31 January 2018 No.40 "On amendments to the resolutions of the Cabinet of Ministers of Ukraine of 2 December 2015 No.1154 and of 5 April 2017 No. 224"</p>		<p>The Government has extended the pilot project on engagement of unemployed able-bodied low-income persons and IDPs to work till 31 December 2018 in Lviv, Poltava and Kharkiv regions. In particular, expansion of incentive mechanisms for creation of workplaces for the participants of the pilot project is envisaged. In 2018, financial assistance will also be provided to existing business entities that will create jobs for the participants in the pilot project.</p>
<p>Resolution of the Cabinet of Ministers of Ukraine of 20 December 2017 No.1090 "On amendments to paragraph 2 of the annex to the Comprehensive state program for support, social adaptation and reintegration of Ukrainian citizens who moved from temporarily occupied territory of Ukraine and areas of anti-terrorist operation to other regions of Ukraine, for the period up to 2017"</p>	<p>Entered into force on 12 January 2018</p>	<p>The Government has taken measures to increase the period for which the expenses for living and food of IDPs with disabilities staying in sanatorium facilities of the Odesa region are being reimbursed. This period will be from 7 October 2014 till 31 May 2016.</p>
<p>Resolution of the Cabinet of Ministers of Ukraine of 11 January 2018 No. 10 "On making changes to the list of medical psychiatric contraindications for the carrying out certain types of activities (works, professions, services) that may pose a direct danger to the person who carries out this activity or to others"</p>	<p>Entered into force on 17 January 2018</p>	<p>The amendment stipulates that when a person is employed by the diplomatic service of Ukraine, a person will undergo a psychiatric examination. The need to adopt a resolution is caused by an increased psycho-emotional burden on the employees of the diplomatic service, in particular for long-term business trips to countries with severe climatic conditions or a difficult security situation.</p>
<p>Resolution of the Cabinet of Ministers of Ukraine of 27 December 2017 No.1079 "On ensuring the organization of sending citizens of Ukraine for medical treatment abroad"</p>	<p>Entered into force on 30 December 2017</p>	<p>The Resolution is aimed at improving the procedure for sending citizens of Ukraine for medical treatment abroad if the provision of required medical assistance is impossible in the health care institutions of Ukraine. In particular, it is stipulated that public authorities are obliged to facilitate the departure of citizens abroad and stay on the territory of a foreign state for the period of treatment, including by issuing the relevant documents necessary for processing documents for traveling abroad.</p>
<p>Resolution of the Cabinet of Ministers of Ukraine of 11 January 2018 No. 23 "On amendments to certain Resolutions of the Cabinet of Ministers of Ukraine"</p>	<p>Entered into force on 26 January 2018</p>	<p>The Resolution has increased the maximum amount of allowances for teaching staff from 20 to 30 per cent. In particular, from 1 January 2018, allowance of not less than 20 per cent is set for teachers of the Ukrainian language and literature in schools with teaching in the languages of national minorities.</p>

<p>Resolution of the Cabinet of Ministers of Ukraine of 11 January 2018 No. 8 "On approval of the budget of the Pension Fund of Ukraine for 2018"</p>		<p>The budget of the Pension Fund of Ukraine for 2018 includes expenditures, in particular, for the provision of pensions to persons residing abroad and foreign pensioners residing on the territory of Ukraine in the amount of UAH 195,653.9 thousand.</p>
<p>Regulation of the Cabinet of Ministers of Ukraine of 27 December 2017 No. 1013-r "On approval of the Concept of optimization of the system of central executive bodies"</p>	<p>Entered into force on 27 December 2017</p>	<p>The Concept envisages measures to strengthen the institutional capacity of ministries in relation to strategic planning and state policy developing on the basis of its thorough analysis, ensuring maximum efficiency and effectiveness of the activities of central executive authorities in the preparation and implementation of key national reforms, approximation of the organization of the system of such bodies to European standards and best European practices.</p>
<p>Regulation of the Cabinet of Ministers of Ukraine of 20 December 2017 No. 1012-r "On approval of the Strategy of informing citizens about the rights guaranteed to them by the Constitution and Laws of Ukraine for the period until 2019"</p>	<p>Entered into force on 20 December 2017</p>	<p>Approval of the document is conditioned by the need to increase the level of legal education and legal consciousness of the population, overcoming legal nihilism in society, creating the appropriate conditions for citizens to acquire legal knowledge, as well as ensuring the possibility to know their rights and obligations.</p> <p>At the same time, the Strategy states that it is aimed exclusively at citizens of Ukraine, and thus does not apply to foreigners and stateless persons.</p>
<p>Regulation of the Cabinet of Ministers of Ukraine of 17 January 2018 No. 17-r "On additional measures for professional training of teachers in 2018"</p>		<p>The Government approved additional measures for professional training of teaching staff in 2018. The document stipulates that the improvement of qualification under the new state standard of elementary education and modern educational methods will be undergone, in particular, by teachers of institutions of general secondary education (classes) in which children are taught in languages of national minorities.</p>
<p>Regulation of the Cabinet of Ministers of Ukraine of 11 January 2018 No. 10-r "On approval of the Strategy of the state policy on healthy and active longevity of the population for the period until 2022"</p>		<p>It is expected that the adoption of the document will help to solve problems and use opportunities associated with the aging of the population.</p> <p>The strategy determines the priority directions of standing against demographic changes, provides comprehensive measures for the support of the elderly population, their integration into social development, improvement of the quality of life, protection of the rights of the elderly population.</p> <p>The document is designed to implement the Association Agreement between Ukraine and the EU, the Madrid International Plan of Action on Ageing.</p>
<p>Order of the Ministry of Internal Affairs of Ukraine "On approval of the Procedure for the accumulation, redistribution and use of special funds from own"</p>	<p>Did not enter into force</p>	<p>The procedure determines the mechanism of accumulation at the level of government bodies (including the Ministry of Internal Affairs, ASBGS,</p>

<p>revenues of budgetary institutions in the sphere of management of the Ministry of Internal Affairs of Ukraine and central executive bodies whose activities are directed and coordinated by the Minister of Internal Affairs of Ukraine" of 15 January 2018 No. 20, registered with the Ministry of Justice of Ukraine on 22 January 2018 under No. 85/31537</p>		<p>NP, SMS – principle executors of the budget programs), as well as redistribution and use of funds from the special fund of budget institutions subordinated to the principle executors of the budget programs received as payments for services rendered by them in accordance with the legislation.</p> <p>Redistribution and use of funds from the special fund are carried out in order to ensure proper financing of the main activities of budget institutions subordinated to principle executors of the budget programs that are not provided or partially secured by the general fund of the state budget and which are not able to fill a special fund at the expense of own revenues.</p>
<p>Order of the Ministry of Internal Affairs of Ukraine "On repealing the Order of the Ministry of Internal Affairs of Ukraine of 22 November 2012 No. 1077" of 13 December 2017 No.1024, registered with the Ministry of Justice of Ukraine on 9 January 2018 under No. 26/31478</p>	<p>Entered into force on 26 January 2018</p>	<p>Order of the Ministry of Internal Affairs "On approval of the Procedure for the registration of the place of residence and the place of stay of individuals in Ukraine and the samples of documents required in this regard" was repealed in accordance with the Rules for registration of the place of residence approved by the Resolution of the Cabinet of Ministers of Ukraine of 2 March 2016 No. 207, and with the aim of bringing normative and legal acts regulating the activities of the SMS of Ukraine, in accordance with the legislation of Ukraine.</p>
<p>Order of the Ministry of Social Policy of Ukraine "On amendments to the reporting form No.1-ozk "Report on the departure abroad of organized groups of children for vacation and recreation" and to the instruction for its completion" of 7 December 2017 No.1935, registered with the Ministry of Justice of Ukraine on 3 January 2018 under No.12/31464</p>	<p>Entered into force on 2 February 2018</p>	<p>The report and instruction for its completion are set out in a revised version in order to improve the forms of the state statistical observation and administrative data, obtain complete and objective information regarding the departure abroad of organized groups of children for vacation and recreation.</p>
<p>Order of the Ministry of Internal Affairs of Ukraine, the Ministry of Finance of Ukraine, the Ministry of Infrastructure of Ukraine "On repealing the Order of the Administration of the State Border Guard Service of Ukraine, the Ministry of Finance of Ukraine, the Ministry of Infrastructure of Ukraine of 30 December 2011 No.1067/1852/661" of 5 December 2017 No.993/998/421, registered with the Ministry of Justice of Ukraine on 21 December 2017 under No.1548/31416</p>	<p>Entered into force on 30 January 2018</p>	<p>Joint Order "On the organization of and carrying out the border and customs control of passenger trains during their movement" was repealed in order to bring the legal acts of the ASBGS of Ukraine in compliance with the legislation of Ukraine.</p>
<p>Order of the State Migration Service of Ukraine "On approval of the List of data that constitute service information in the State Migration Service of Ukraine" of 5 January 2018 No. 2</p>		<p>The Order was adopted pursuant to the Law of Ukraine "On access to public information", according to which the service information is information with limited access, and also pursuant of the Decree of the President of Ukraine of 5 May 2011 No. 547/2011 "Issues of providing access to public information by executive authorities", which</p>

		<p>stipulates that the central bodies of executive power must approve lists of information constituting service information and publish them in accordance with the established procedure.</p>
<p><u>Order of the State Migration Service of Ukraine "On amendments to the Order of the SMS of 03.11.2016 No.280 "On approval of the classifiers of administrative services, products and documents used for provision of administrative services, administrative fees which include the cost of administrative services, the cost of the document form and its personalization" of 29 January 2018 No.18</u></p>		<p>Changes were made in order to improve the mechanism of enrollment, distribution and transfer of funds received as a fee for the provision of administrative services provided by territorial bodies and units of the SMS, as well as for the purpose of ensuring efficient management of budget allocations and strengthening control over their use.</p>