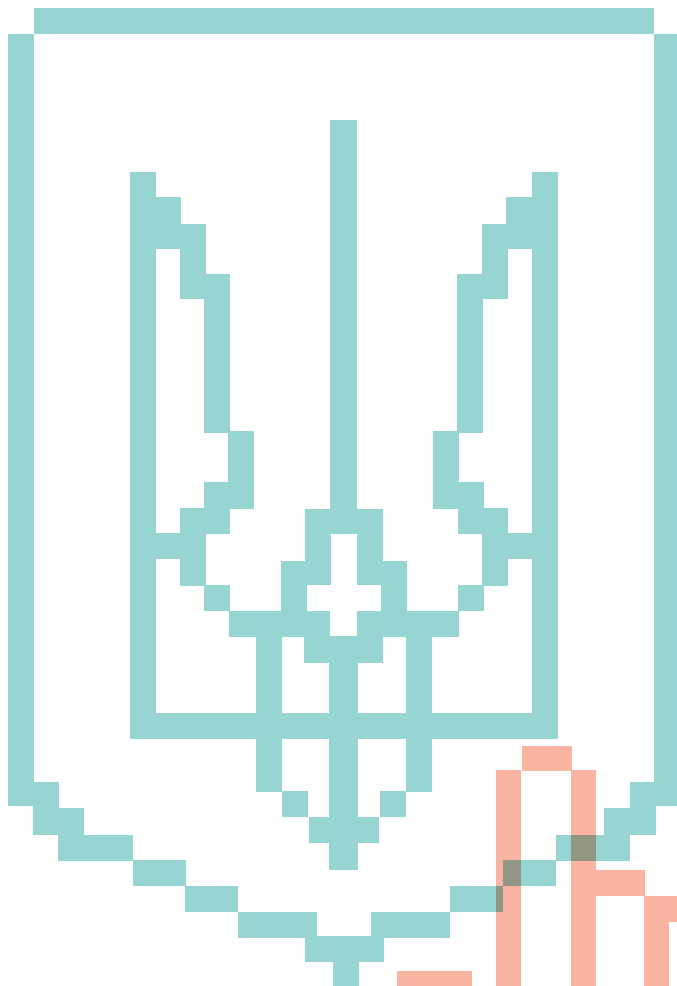




NATIONAL AGENCY
ON CORRUPTION
PREVENTION



E-declarations in a nutshell

The register of public officials' e-declarations maintained by the National Agency on Corruption Prevention (NACP) provides for:

■ 1. Openness

This is the first ever online database of public officials' declarations open to the public where declarations are published automatically.

Immediately after a declaration is submitted, its part with public information becomes available on the NACP website: www.public.nazk.gov.ua.

■ 2. Comprehensiveness

For the first time, public officials are to declare the following data:

- their cash savings;
- valuable movables;
- gifts;
- incomplete construction projects;
- legal entities, of which an official or his/her family member is the beneficial owner;
- intangible assets;
- side jobs;
- membership in NGOs and their bodies;
- a property, belonging to another person, which is effectively controlled by an official (for top officials only).

■ 3. Liability

Submitting knowingly false data in a declaration entails an administrative fine and even criminal liability.

■ **Late submission**

Administrative liability

A penalty of UAH 850 to 1,700 applies for late submission of a declaration without a valid reason — a disease, business trip, or mobilization.

■ **Willful non-submission of a declaration**

Criminal liability applies to a declarant who fails to submit his/her declaration after NACP revealed the non-submission and enabled him/her to submit it.

■ **Submitting knowingly false declaration**

Administrative liability and penalty of UAH 17,000–42,500 apply for providing false information about the property worth 100–250 living wages (UAH 160,000–400,000 since 1 January 2017).

■ **Criminal liability** applies for submitting false information about the property worth over 250 living wages (UAH 400,000), warranting a fine of UAH 42,500–51,000, or public works, or incarceration for up to two years along with disqualification to hold the respective positions.

■ If false information given on the property worth less than 100 living wages (UAH 160,000), it may be a ground for **disciplinary liability**.

Types of declarations

1 Annual declarations
(to be submitted from 1 January to 1 April);

2 Declarations at the termination of duties;

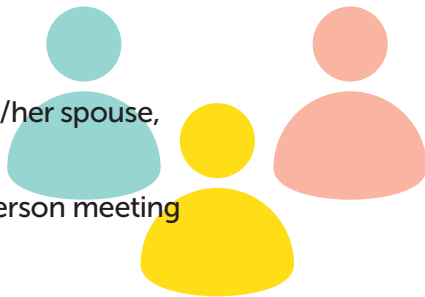
3 Declarations after the termination
(to be submitted from 1 January to 1 April the next year);

4 Declarations of candidates before assuming their posts that are subject to e-declaration.

Who is considered a family member?

whose income and assets are to be declared by a declarant

- A family member of a declarant is his/her spouse, even if they live separately.
- Also, a family member may be any person meeting the following three criteria:
 - living together with a declarant;
 - running a common household;
 - having mutual rights and responsibilities indicating family relations.
- This definition excludes renting a property jointly by non-family members.
- A family member may be both a declarant's relative — for example, a cohabiting child or parent — or his/her cohabitant.



In a case when a family member refuses to provide his/her information, a declarant should specify this in a declaration, and NACP is to carry out a full verification of this declaration.

Which data from a declaration are not to be published?

- Tax ID;
- Passport serial number;
- Date of birth;
- Place of residence;
- Full address of a property (disclosing only oblast, rayon, and village/city).



How to submit a declaration?

■ First, a user should undergo electronic identification using his/her own digital signature.

1

After that, a declarant gets an access to his/her personal account in the register of declarations — portal.nazk.gov.ua.

A personal account enables a user to:

- create draft declarations, including based on previous declarations;
- review e-documents submitted earlier;
- receive or send messages to NACP, etc.

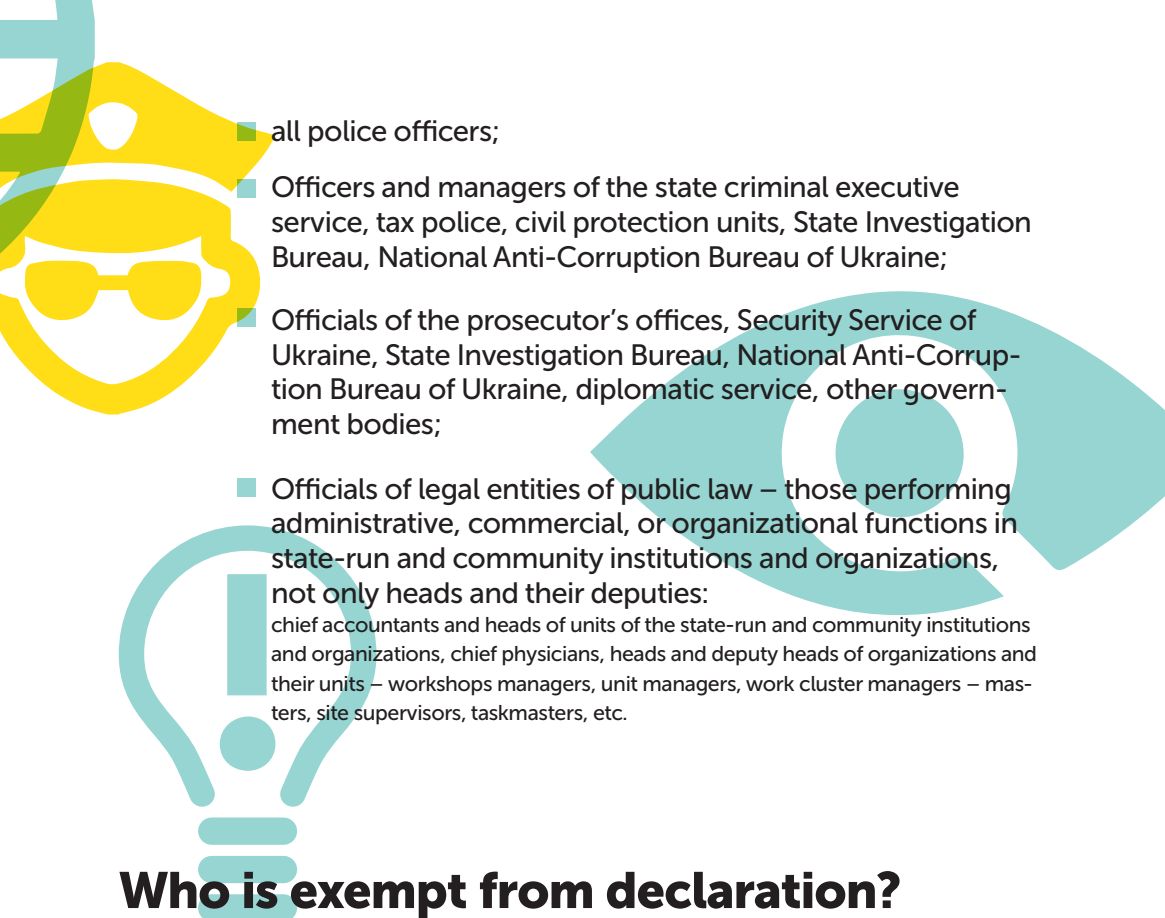
2

A declarant is eligible to amend his/her declaration, without recourse to NACP, only once within seven days after a declaration was submitted.

3

Who is to submit e-declarations?

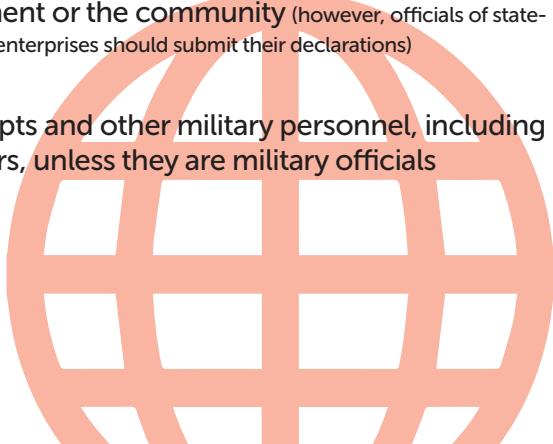
- The President, the Prime Minister, Cabinet Members, Deputy Ministers, heads of government bodies and their deputies;
- Members of Parliament of Ukraine;
- Judges, prosecutors, and investigators;
- Civil servants of the category A:
heads of central executive agencies that are not part of the Cabinet of Ministers, heads of local state administrations, heads of secretariats of the Constitutional Court, Supreme Court, and higher specialized courts, etc.;
- Civil servants of the category B:
heads of units of the Secretariat of the Cabinet of Ministers and their deputies, heads of units of the Ministries, other government bodies, and their deputies, heads of territorial bodies of these government bodies and their units, heads of secretariats of courts of appeals and local courts, heads of units of court secretariats and their deputies;
- Officials of local governments of the categories 1–3;
- Members of local councils of all levels:
village, settlement, city, district in cities, rayon, oblast;
- Civil servants of the category C:
specialists, senior and lead specialists in executive agencies, other officials holding positions other than the heads of units and their deputies, etc.;
- Military officials of the Armed Forces of Ukraine, State Special Communications Service, and other military units;



- all police officers;
- Officers and managers of the state criminal executive service, tax police, civil protection units, State Investigation Bureau, National Anti-Corruption Bureau of Ukraine;
- Officials of the prosecutor's offices, Security Service of Ukraine, State Investigation Bureau, National Anti-Corruption Bureau of Ukraine, diplomatic service, other government bodies;
- Officials of legal entities of public law – those performing administrative, commercial, or organizational functions in state-run and community institutions and organizations, not only heads and their deputies:
chief accountants and heads of units of the state-run and community institutions and organizations, chief physicians, heads and deputy heads of organizations and their units – workshops managers, unit managers, work cluster managers – masters, site supervisors, taskmasters, etc.






Who is exempt from declaration?

- Employees of government bodies performing service functions — secretaries, stenographers, archivists, clerks, guards, if they do not perform administrative, commercial, or organizational functions
- Private and public notaries and attorneys (however, heads of public notary offices are required to submit their declarations)
- Officials of private enterprises even with shared ownership of the government or the community (however, officials of state-run and community enterprises should submit their declarations)
- Military conscripts and other military personnel, including contract soldiers, unless they are military officials



What to declare?

Items to be declared (property and other items to be specified in a declaration)

	An item of		Declaration thresholds (minimal value of a property to be declared)	
	A declarant	A family member	Number of living wages for employable person as of 1 January of the reporting year	Declaration threshold for 2016 (for example, for annual declaration for 2016 due by 1 April 2017)
 Real estate (a land plot, residential house, apartment, garden cottage, garage or parking lot, etc.)	✓	✓	No threshold (all property items are to be declared irrespective of their value)	
 Construction in progress irrespective of the stage of construction and land plots where this construction takes place (including buildings not put into operation or ownership right not duly registered)	✓	✓	No threshold	
 Valuable movables except for vehicles (jewellery, artwork, antiques, arms, animals, electronic devices,	✓	✓	100 living wages (for each item separately)	UAH 137,800
 Vehicles (cars and trucks, buses, self-propelled automotive wheeled vehicles, motorcycles, trailers, semi-trailers, cycle-cars, other similar vehicles and motorbikes, agricultural equipment, water and air vehicles)	✓	✓	No threshold	
 Securities (stocks, bonds, checks, certificates, promissory notes, derivatives, etc.)	✓	✓	No threshold	

Items to be declared (property and other items to be specified in a declaration)

	An item of		Declaration thresholds (minimal value of a property to be declared)	
	A declarant	A family member	Number of living wages for employable person as of 1 January of the reporting year	Declaration threshold for 2016 (for example, for annual declaration for 2016 due by 1 April 2017)
 Other corporate rights (shares (stakes) in the statutory capital or any other equivalent capital, enterprises and organizations registered in Ukraine or abroad, including equity shares to credit unions; except for stocks)	✓	✓	No threshold	
 Legal entities of which a declarant or his/her family members are beneficial owners (shareholders)	✓	✓	No threshold	
 Intangible assets (intellectual property, licenses, etc.)	✓	✓	No threshold	
 Received (accrued) income (income from wages or payments received at the main job and side jobs, honorarium, dividends, royalties, interest payments, insurance payments, charitable assistance, pension, income from disposition of securities and corporate rights, gifts, etc.)	✓	✓	For gifts: 5 living wages for non-monetary gifts; 5 living wages in total for monetary gifts received from one person (a group of persons)	UAH 6,890
 Monetary assets (cash, money on bank accounts, shares to credit unions and other non-bank financial institutions, money which a declarant or a family member loaned to others, and assets in precious metals)	✓	✓	Aggregated value of all items exceeds 50 living wages	UAH 68,900

Items to be declared (property and other items to be specified in a declaration)

* To be filled in by declarants who are public officials holding responsible and especially responsible positions or high corruption risk positions

** Not to be filled in by candidates for positions



Property which formally belongs to a third person but controlled and effectively administered by a declarant or his/her family member
(the so-called beneficial ownership of a property) *

A declarant



A family member



Declaration thresholds
(minimal value of a property to be declared)

Number of living wages for employable person as of 1 January of the reporting year

Declaration threshold for 2016 (for example, for annual declaration for 2016 due by 1 April 2017)

Застосовуються порогові відповідних об'єктів, якщо вони встановлені (цінне рухоме майно, подарунки, грошові активи)



Financial obligations
(received loans, obligations arising from lease agreements, the amount of money paid toward the principal balance of a loan and as interest, obligations under the insurance contracts and private pension system)



No threshold



Expenses **



50 living wages (for each expense separately)

UAH 68,900



Transactions which create or terminate a declarant's right of ownership, possession, or use of a property, or which create financial obligations
(if a transaction did not lead to an expense) **



50 living wages (for each expense separately)

UAH 68,900



Side job (whether paid or not)



No threshold



Joining governing, audit, or supervisory bodies of public associations, charitable organizations, self-regulatory or self-governing professional associations, as well as membership in such associations (organizations)



No threshold

NACP is to carry out full verification of a declaration if:

- a declarant holds a responsible or especially responsible position;
- a declarant holds a position associated with high corruption risks;
- a family member refused to share his/her information;
- lifestyle monitoring reveals discrepancies;
- external allegations (mass media reports, complaints, information of other government bodies, etc.);
- logical and arithmetical control of a declaration reveals discrepancies.

Timely submission of declarations shall be controlled by the bodies where the declarants are employed. They should report any violations to NACP.

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Online against corruption

The opinions, conclusions or recommendations expressed in this material are those of the authors and do not necessarily reflect the position of the Ministry of Foreign Affairs of Denmark, UN Development Programme in Ukraine, or other UN agencies.

**Web-site of the National Agency
on Corruption Prevention:**

nazk.gov.ua



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