

# 1.2 Ukraine Regulatory Departments

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## Constitution of Ukraine

With the proclamation of its independence on 24 August 1991, and adoption of a constitution on 28 June 1996, Ukraine became a semi-presidential republic. However, in 2004, deputies introduced changes to the Constitution, which tipped the balance of power in favour of a parliamentary system. From 2004 to 2010, the legitimacy of the 2004 Constitutional amendments had official sanction, both with the Constitutional Court of Ukraine, and most major political parties. Despite this, on 30 September 2010 the Constitutional Court ruled that the amendments were null and void, forcing a return to the terms of the 1996 Constitution and again making Ukraine's political system more presidential in character.

## President, Parliament and Government

The President is elected by popular vote for a five-year term and is the formal head of state. Ukraine's legislative branch includes the 450-seat unicameral parliament, the Verkhovna Rada. The parliament is primarily responsible for the formation of the executive branch and the Cabinet of Ministers, headed by the Prime Minister. However, the President still retains the authority to nominate the Ministers of the Foreign Affairs and of Defence for parliamentary approval, as well as the power to appoint the Prosecutor General and the head of the Security Service.

Laws, acts of the parliament and the cabinet, presidential decrees, and acts of the Crimean parliament may be abrogated by the Constitutional Court, should they be found to violate the constitution. Other normative acts are subject to judicial review. The Supreme Court is the main body in the system of courts of general jurisdiction. Local self-government is officially guaranteed. Local councils and city mayors are popularly elected and exercise control over local budgets. The heads of regional and district administrations are appointed by the President in accordance with the proposals of the Prime Minister.

Ukraine has a large number of political parties, many of which have tiny memberships and are unknown to the general public. Small parties often join in multi-party coalitions (electoral blocs) for the purpose of participating in parliamentary elections.

## Courts and Law Enforcement

The courts enjoy legal, financial and constitutional freedom guaranteed by Ukrainian law since 2002. Judges are largely well protected from dismissal (except in the instance of gross misconduct). Court justices are appointed by presidential decree for an initial period of five years, after which Ukraine's Supreme Council confirms their positions for life. Although there are still problems, the system is considered to have been much improved since Ukraine's independence in 1991. The Supreme Court is regarded as an independent and impartial body, and has on several occasions ruled against the Ukrainian government. The World Justice Project ranks Ukraine 66 out of 99 countries surveyed in its annual Rule of Law Index.

Since 1 January 2010 it has been permissible to hold court proceedings in Russian by mutual consent of the parties. Citizens unable to speak Ukrainian or Russian may use their native language or the services of a translator. Previously all court proceedings had to be held in Ukrainian.

Taxation in the Ukraine is regulated by the Tax Code of the Ukraine and other regulatory legal acts. The competent authority exercising control over compliance with tax laws and full/timely payment of taxes is the State Fiscal Service of Ukraine is under the Cabinet of Ministers of Ukraine.

The [State Fiscal Service of Ukraine](#) is central executive agency which activities are directed and controlled by the Cabinet of Ministers of Ukraine through the Minister of Finance and implements the following: Implementation of state tax policy and in public customs; Customs legislation; Control of budget revenues and state funds taxes and fees; Customs duties and other charges of state policy in the sphere of control over the production and circulation of alcohol, alcoholic beverages and tobacco products compliance with the order of cash payments for goods (services) as well as the availability of licenses for economic activities subject to licensing under the law, trade patents.

The [Ministry of Economic development and Trade of Ukraine](#) is a central executive agency which is directed by the Cabinet of Ministers of Ukraine.

Ministry of Economic Development and Trade of Ukraine is a system of executive power is the main agency in the system of central executive authorities on the formation and implementation the following: Public policies for economic and social development; Pricing; Industrial; Investment; Foreign policy; State policy in the field of trade; The state regional policy; Public policy on business development; Technical regulation (standardization, metrology, certification, quality management) and consumer protection And inter-agency coordination on economic and social cooperation between Ukraine and the European Union.

Minister of Ukraine are specially authorized public procurement, metrology, on public-private partnerships, regulatory policy, licensing, permitting system in economic activity, defence contracts.

The [Ministry of Health of Ukraine](#) is another important regulatory organ. The State Sanitary-Epidemiology Services of Ukraine is part of the Ministry of Health and exercises control and supervision over compliance with the standards and specifications during transportation, storage and use (operation) of non-food products. It issues hygiene certificates and other authorizing documents required by law, etc. The State Drugs Service, which was also created under the Ministry of Health, provides permits to import into Ukraine unregistered medical products, issues opinions on the quality of the imported products, etc.

State [Border Service of Ukraine](#) (Border Guard Service Administration) is the central executive body, whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Interior and implements government policy on protection of the state border and protection of the sovereign rights of Ukraine in its exclusive (maritime) economic zone. By the Constitution and laws of Ukraine, decrees of the President of Ukraine and resolutions of the Verkhovna Rada of Ukraine.

The [Ministry of Social Policy of Ukraine](#) is the State body responsible for issuing permits for humanitarian cargo (recognizing cargo as humanitarian).

The Ministry also controls and regulates the following: Employment and labor migration; Labor relations; Social protection of the population, family and children; Protection of the rights deported on a national basis to persons who returned to Ukraine through the following accountable departments, as: Department of Pensions; Department of Social Insurance and Partnership; Department of Strategic Planning; Department of State Social Assistance; Department of Social Protection of the Disabled; Department of Social Services and others.

#### [4.1 Ukraine Government Contact List](#)