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Draft

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LAW OF UKRAINE

On Regulation of Lobbying activities

This Law sets up legal and organizational principles of public regulation of lobbying activities in Ukraine.

Section I. General.

Article 1. Definitions.

1. As used in this Law:

1) contract for lobbying services – an agreement under which one party (lobbyist) is employed by other party (client) to render services related to exertion of legitimate influence upon public and local self-government authorities, their officers and employees in the course of development and adoption (involvement in the adoption process) of normative legal acts, and the other party shall pay for such services;

2) client – person or entity, that employs a lobbyist for compensation to exert legitimate influence upon public and local self-government authorities, their officers and employees in the course of development and adoption (involvement in the adoption process) of normative legal acts;

3) lobbying – legal influence exerted by employed duly registered and accredited persons (lobbyists) upon public and local self-government authorities, their officers and employees in the course of development and adoption (involvement in the adoption process) of normative legal acts;

4) lobbyist – person or entity registered in accordance with the procedure set forth in this Law that is employed to exert legitimate influence upon public and local self-government authorities, their officers and employees in the course of development and adoption (involvement in the adoption process) of normative legal acts;

5) lobbying activities – business activities related to rendering lobby services;

6) lobbying contact – any oral or written communication (including an electronic communication) to a covered officer or employee of public or local self-government authority that is made with regard to development and adoption of normative legal act;

7) lobbying services – activity of the lobbyist, which includes lobbying (including any lobbying contacts or attempted lobbying contacts) and other efforts related to the preparation and planning of lobbying (including any studies, preparation of analytical and other materials, drafting of normative legal acts, distribution of information via mass media and other activities);

8) lobbying methods – a range of techniques and tools implemented within the framework and in the manner, which is not forbidden by current laws, and using which lobbyists exert influence upon public and local self-government authorities, their officers and employees in the course of development and adoption (involvement in the adoption process) of normative legal acts in accordance with the procedure set forth in this Law;

9) object of lobbying – activities of bodies specified in this Law, their officers and employees related to the development and adoption (involvement in the adoption process) of normative legal acts;

10) accreditation body means public authority or local self-government authority accrediting the lobbyist;

11) subject of lobbying – normative legal acts of Verkhovna Rada of Ukraine, President of Ukraine, Cabinet of Ministers of Ukraine, ministries, other central executive authorities, as well as Verkhovna Rada of Autonomous Republic of Crimea, Council of Ministers of Autonomous Republic of Crimea, village, municipal, district and oblast councils.

Article 2. Scope of Law.

1. This Law extends to legal relations between lobbyists and public and local self-government authorities, their officers and employees during the development and adoption of normative legal acts, and also, between lobbyists and clients during the rendering of lobbying services.

2. This Law shall not extend to the relations associated with activities of non-governmental organizations, political parties, religious organizations, cooperatives, creative societies etc., which represent and protect their legitimate interests and legitimate interests of their members at public and local self-government authorities, except when they conduct such activity employing the lobbyist acting as a client employing lobbying services.

Article 3. Legal regulation of lobbying activities.

1. The legal relationships emerging between lobbyists and public and local self-government authorities, their officers and employees in the course of development and adoption of normative legal acts, as well as the legal relationships between lobbyists and clients in the course of rendering lobbying services shall be governed by the Constitution of Ukraine, this Law and other regulations.

Article 4. Covered public and local self-government authorities.

1. The following are covered public and local self-government authorities:
 - Verkhovna Rada of Ukraine;
 - Administration of President of Ukraine
 - Cabinet of Ministers of Ukraine;
 - ministries and other central executive authorities;
 - Verkhovna Rada of Autonomous Republic of Crimea;
 - Council of Ministers of Autonomous Republic of Crimea;
 - village, town, municipal, district and oblast councils;

2. Also, lobbying can be made towards activities of the following:
 - President of Ukraine;
 - people's deputies of Ukraine and deputies' factions (groups);
 - Prime-minister of Ukraine, First Vice- Prime-minister, vice Prime-ministers and Cabinet of Ministers of Ukraine;
 - local council deputies;
 - other officers of public and local self-government authorities as set forth in Part one of this Article.

3. Also the covered authorities include the employees of public and local self-government authorities specified in part one of this Article.

Article 5. Purpose of lobbying.

1. The purpose of lobbying is to exert legal influence upon adoption of normative legal acts of legislative and executive branch, as well as local self-government authorities in order to incorporate the provisions which, according to the contract for lobbying services, constitute the interest of clients employing the lobbying services.

Article 6. Principles of lobbying activities.

1. The lobbying activities in Ukraine are based on the following principles:
 - legality;

- voluntariness;
- openness;
- accountability;
- equality;
- provision of comprehensive and accurate information concerning the lobbyists, clients employing the lobbying services, lobbying contacts;
- compliance of draft normative legal acts that are being lobbied with provisions of Constitution of Ukraine;
- free choice their activities of areas of their activities by lobbyists, except those as forbidden by this law.

Article 7. Guarantees for lobbying activities.

1. Exercise of lobbying activities is guaranteed by the following:
 - 1) free accreditation of lobbyists at public and local self-government authorities;
 - 2) access of lobbyists to the premises of public and local self-government authorities where they are accredited;
 - 3) involvement of lobbyists in the process of development of normative legal acts of public and local self-government authorities;
 - 4) transparency of lobbying related information;
 - 5) state and public monitoring of lobbying compliance with Ukrainian laws.
2. Lobbying activities shall not be the ground for any limitation of rights and freedoms.

Article 8. Public awareness of lobbying efforts.

1. The public awareness of lobbying efforts shall be supported by disclosure of information concerning lobbying activities.
2. The following are the ways of disclosure of information concerning lobbying activities:
 - publication of information in media, issuance of information bulletins;
 - radio and TV broadcasting;
 - establish special information systems containing appropriate information and ensure access thereto.
3. The information constituting the state, commercial, bank and other secure information under the law shall be not subject to disclosure.
4. Information concerning the contracts on lobbying services, value of lobbying services, clients employing the lobbying services, as well as the purpose of lobbying shall constitute no commercial or other secure information under the law.

Article 9. Lobbying restrictions.

1. Normative legal acts of individual effect, acts relating to the appointment and dismissal shall not be subject to lobbying and contract for lobbying services.

2. Ban on lobbying efforts and lobbying services concerning the normative legal acts regulating social relations in the following areas:

- organization of public authorities and the fundamentals of public service;
- national service and defense;
- judicial system and proceedings;
- territorial system.

3. No lobbying activities are allowed at:

- National Bank of Ukraine and its divisions;
- State Administration of Ukraine and its divisions;
- State Customs Service of Ukraine and its divisions;
- judiciary bodies;
- law enforcement authorities;
- Armed Forces of Ukraine and other military formations.

4. The following are not allowed to be clients employing the lobbying services:

- public and local self-government authorities;
- public institutions, organizations and other entities supported by the national budget of Ukraine or local budgets;
- business entities where the state holds over 20% corporate rights share;
- foreign entities, where legislation associated with land relations are concerned.

5. Lobbyists may not receive, directly or indirectly, monetary or other material resources from:

- the national budget of Ukraine or local budgets;
- unauthorized public associations;
- anonymous entities.

The monetary or material resources resulting from non-compliance with the above requirements shall be transferred to the state.

Article 10. Prevention of abuse of lobbying.

1. Lobbyists must exercise their rights conferred by this Law and other regulations in bona fide manner. Abuse of lobbying and the rights provided to lobbyists is not allowed.

The exercise of their rights conferred by this Law by lobbyists may not obstruct or hinder activities of public and local self-government authorities, their officers and employees.

Section II. Registration and accreditation of lobbyists.

Article 11. Terms of acquiring the status of lobbyist.

1. Persons (physical persons - lobbyists) and entities (entities - lobbyists) registered in the register of lobbyists of Ukraine and have obtained the license for lobbying activities have the right to engage in lobbying activities (status of lobbyist).

2. Physical person will be registered as a lobbyist, if:

- it is registered as physical person - entrepreneur;
- has higher education;
- knows the state language.

3. Legal entity will be registered as a lobbyist, if:

- it is registered in Ukraine as a subject of entrepreneur activities in any organizational legal form except public joint-stock company;
- such legal entity is established exclusively by residents of Ukraine and has no participating foreigners or foreign entities.

4. During registration of lobbyist entity, the information concerning the lobbyists that will be lobbying on behalf of lobbyist entity shall be entered into the Register of lobbyists of Ukraine.

5. The following individuals shall not acquire the status of lobbyist or engage in lobbying activities, represent lobbying entities or engage in lobbying activities:

- 1) public servants employed with central and local authorities;
- 2) employees of public and municipal enterprises, institutions and organizations;
- 3) holders of political office or those who have a representative mandate;
- 4) judges and court personnel;
- 5) personnel of prosecutor office, military, junior enlisted personnel and officers of interior bodies and other authorities who are awarded special ranks;
- 6) individuals whose incompetence or partial incompetence was recognized by the court;
- 7) individuals with criminal history of intended crimes where such criminal record has not been duly spent or released;
- 8) the individuals whose License for lobbying activities has been revoked due to failure of the lobbyist to comply with this Law. Such individuals have no right to engage in lobbying activities for two years of expiration of License for lobbying activities;
- 9) individuals who are forbidden to engage in lobbying activities under the court's ruling – for three years of res judicata of the court decision.

6. The individuals listed in paragraphs 1-5 part 5 of this Article may register as lobbyists or act on behalf of lobbyist entity no sooner than two years upon dismissal, termination of powers or resignation.

Article 12. State registration of lobbyist.

1. State registration of lobbyists is conducted by Ministry of justice of Ukraine (hereinafter – registration authority) according to the procedure, as set forth in this Law and Regulation for registration of lobbyists, and the Register of lobbyists of Ukraine approved by the Cabinet of Ministers of Ukraine.

2. The fee for state registration of lobbyists and entering updated information in the Register of lobbyists of Ukraine shall be charged in the amount specified by Cabinet of Ministers of Ukraine.

3. The state registration of lobbyist may be revoked due to non-performance of the lobbyist of the requirements to lobbying activities as specified by Ukrainian laws.

4. The status of lobbyists shall be affirmed by the License for lobbying activities issued for an indefinite period.

5. To revoke the state registration of lobbyist, the lobbyist shall be removed from the Register of lobbyists of Ukraine. Upon revocation of state registration the License for lobbying activities of such lobbyist shall be terminated and deemed void.

6. The format of License for lobbying activities and the issuance procedure shall be approved by the Cabinet of Ministers of Ukraine.

Article 13. Register of lobbyists of Ukraine.

1. The registration authority shall maintain the Register of lobbyists of Ukraine in order to collect, keep records and ensure the availability of accurate information concerning lobbyists in Ukraine.

2. The Register of lobbyists of Ukraine shall be maintained in accordance with this Law, the Regulation on registration of lobbyists and the Register of lobbyists of Ukraine, which is to be approved by Cabinet of Ministers of Ukraine.

3. The Register of lobbyists of Ukraine shall include the following information concerning lobbyists:

1) last name, first name and patronymic of person or complete of entity acting as lobbyists;

2) number and date of decision to issue a License for lobbying activities;

3) name of the authority deciding on issuance of the License for lobbying activities;

4) number and date of issuance of License for lobbying activities;

5) postal code and address of person acting as lobbyist or venue of entity;

6) lobbyist's telephone number;

7) for entities acting as lobbyists: information concerning the founders and members of entity;

8) for entities acting as lobbyists: names of individuals who will act as lobbyists on behalf of the lobbyist entity;

9) code of Single State Register of enterprises and organizations of Ukraine;

10) Day of entry of information and updates in the Register of lobbyists of Ukraine;

- 11) information concerning execution of contracts for lobbying activities;
- 12) information concerning the amounts received and spent by the lobbyist during appropriate reporting periods;
- 13) information concerning the client authorities for lobbying;
- 14) last name, first name and patronymic of the person that entered information into the Register of lobbyists of Ukraine.

4. The lobbyist shall acquire the rights defined by this Law after the information concerning such lobbyist is entered into the Register of lobbyists of Ukraine.

5. If the information contained in the Register of lobbyists of Ukraine changes, the lobbyist shall notify the registration authority of such updates within ten working days.

6. The registration authority shall enter the information contained in the Register of lobbyists of Ukraine and the appropriate updates upon 10 working days of receipt of such information and an appropriate note shall be made in the License for lobbying activities.

7. If information in the Register of lobbyists of Ukraine is to be updated in accordance with the procedure set forth in part six Article 16 of this Law, the registration authority shall notify the lobbyist of registration of appropriate adjustments by sending a registered letter within two working days requesting the lobbyist to submit the license for an appropriate note to be made therein.

8. The information contained in the Register of lobbyists of Ukraine is open and shall be published on the web-site of the registration authority.

Article 14. Registration procedure for persons-lobbyists.

1. In order to register the person intending to engage in lobbying shall submit the following documents to the registration authority in person (send a registered letter with the list of enclosure) or via an authorized representative:

- 1) application for state registration of lobbyist and issuance of License for lobbying activities;
- 2) copy of the document confirming the citizenship of Ukraine;
- 3) copy of reference concerning inclusion of applicant in the State Register of tax and other duties payers;
- 4) certified copy of Certificate of state registration of entrepreneur;
- 5) reference concerning absence of criminal records that have not been spent or released;
- 6) copy of employment records book;
- 7) the document confirming payment of the registration fee.

2. The registration authority is forbidden to request additional documents for the state registration of lobbyist if they are not specified in part one of this Article.

3. The documents submitted for the state registration shall be accepted in accordance with the list of enclosures, and a copy of this list shall be handed over

(sent by a registered letter) to the applicant with the date of delivery of said documents indicated thereon.

4. Grounds for disapproval of application for the state registration:

- 1) restrictions on lobbying activities set forth in this Law;
- 2) submittal of inaccurate information;
- 3) failure to submit the documents required by part one of this Article, or inappropriate completion of documents.

5. The registration authority shall review the application documents within ten working days of delivery of these documents listed in part one of this Article to verify them for the absence of grounds for disapproval of application for state registration of the lobbyist listed in part four of this Article and decide on approval or disapproval of application for state registration of lobbyist.

6. If no grounds for disapproval of application for state registration of lobbyist have been found, the registration authority shall make an entry concerning the state registration of lobbyist based on application for the state registration of lobbyist in the Register of lobbyists of Ukraine within the terms set forth in part five of this Article, and no later than the working day following the date of registration issue (send by registered letter) the License for lobbying activities to the applicant or his representative.

7. In case of disapproval of application for state registration of lobbyist, the applicant shall be notified no later than on the tenth day of the date of delivery of application documents to the registration authority, and the grounds for such disapproval shall be contained in this notice.

If disapproval of application for registration of lobbyist is caused by failure to submit the documents required by this Law or their inappropriate completion, the person may appropriate the documents and re-apply for registration. The person may re-apply for registration within ten working days of disapproval of application for registration without a registration fee.

Disapproval of application for registration may be challenged in court in accordance with the procedure established by the law.

Article 15. Registration procedure for entities.

1. The state registration of entities intending to engage in lobbying, its authorized representative shall submit the following documents to the registration authority in person (send a registered letter with the list of enclosure):

- 1) the form of application for state registration of lobbyist and License for lobbying activities;
- 2) certified copy of Certificate of state registration of entity;
- 3) copy of reference concerning tax payer registration;
- 4) certified copies of articles of association for such entity;
- 5) certified copies of articles of association for such entities or copies of documents certifying the citizenship of Ukraine of members of such entity registering as lobbyist;

6) original or certified copy of decision of members of this entity or its authorized body concerning the registration of this entity as a lobbyist;

7) list of individuals to act as lobbyists on behalf of this entity based on the decision made by members of this entity or its authorized body;

8) copies of documents certifying the citizenship of Ukraine, copies of their employment records books, references concerning the absence of criminal records that have not been spent or released for such individuals that will engage in lobbying on behalf of this entity;

9) the document confirming payment of the registration fee.

2. The registration authority is forbidden to request additional documents for state registration of the lobbyist if they are not specified in part one of this Article.

3. The documents submitted for state registration shall be accepted in accordance with the list of enclosures, and a copy of this list shall be handed over (sent by a registered letter) to the applicant with the date of delivery of said documents indicated thereon.

4. Grounds for disapproval of application for the state registration:

1) restrictions on lobbying activities set forth in this Law;

2) submittal of inaccurate information;

3) failure to submit the documents required by part one of this Article, or inappropriate completion of documents;

4) in the case specified in paragraph two part % of this Article.

5. Where the individual advanced as a representative of lobbyist entity fails to meet the requirements of part five of Article 11 of this Law, such person shall not be entered in the Register of lobbyists of Ukraine and shall not act as lobbyist on behalf of the lobbyist entity.

Where all individuals advanced as representatives of lobbyist entity to act on its behalf as lobbyists fail to meet the requirements of part five of Article 11 of this Law, the application for state registration of this entity as a lobbyist entity will be disapproved.

6. The registration authority shall review the application documents within ten working days of delivery of these documents listed in part one of this Article to verify them for the absence of grounds for disapproval of application for state registration of the lobbyist entity listed in part four of this Article and decide on the approval or disapproval of application for state registration of lobbyist entity.

7. If no grounds for disapproval of application for state registration of lobbyist entity have been found, the registration authority shall make an entry concerning the state registration of lobbyist entity based on application for the state registration of lobbyist entity in the Register of lobbyists of Ukraine within the terms set forth in part five of this Article, and no later than the working day following the date of registration issue (send by registered letter) a License for lobbying activities to a representative of applicant.

8. In case of disapproval of application for state registration of lobbyist entity, the applicant shall be notified no later than on the tenth day of the date of

delivery of application documents to the registration authority, and the justification for such disapproval shall be contained in this notice.

If disapproval of application for registration of lobbyist is caused by failure to submit the documents required by this Law or their inappropriate completion, the entity may appropriate the documents and re-apply for registration. The entity may re-apply for registration within ten working days of disapproval of application for registration without a registration fee.

Disapproval of application for registration may be challenged in court in accordance with the procedure established by the law.

Article 16. Termination of lobbying activities.

1. The lobbyist shall cease activities:

- 1) in case the lobbyist applies to the registration authority requesting termination of lobbying activities;
- 2) in case the registration authority registers termination of lobbying activities by the lobbyist based on the requirements of parts two and three of this Article;
- 3) in case of revocation of registration.

2. The lobbyist person shall also cease activities under the following circumstances:

- 1) death of lobbyist, where the lobbyist is declared deceased or missing;
- 2) if the lobbyist is recognized incompetent or partially competent;
- 3) termination of entrepreneur activities and appropriate update in the Single state register of business entities and persons.

3. The lobbyist entity shall also cease activities under the following circumstances:

- 1) where an entry concerning termination of business activities of entity is made in the Single state register of business entities and persons;
- 2) if after the information in the Register of lobbyists of Ukraine concerning the individuals engaging in lobbying activities on behalf of lobbyist entity has been updated the Register will have no information concerning a single person authorized to engage in lobbying.

The individuals engaged in lobbying on behalf of lobbyist entity shall lose the right to engage in lobbying activities, and an appropriate update shall be made in the Register of lobbyists of Ukraine based on Items 1-2 part two of this Article if the conviction of willful offense committed by representative of the lobbyist entity has become *res judicata*.

4. Revocation of lobbyist registration:

- 1) if the lobbyist fails to file the reports required by this Law, delayed filing for over one month, submittal of false information;

2) if the conviction of willful offense committed by the lobbyist has become *res judicata*;

3) the Ukrainian citizenship is altered;

4) if the lobbyist violates the requirements to lobbying activities as set forth in Ukrainian laws.

5. Lobbying activities shall be deemed ceased or revoked after the registration authority makes an appropriate entry in the Register of lobbyists of Ukraine.

6. The public and local self-government authorities where the lobbyist has been accredited and that become aware of the circumstances specified in part two of this Article, paragraph two of part 3 of this Article and Items 2-4 part four of this Article shall notify the registration authority thereof, that will review this information and based on the findings the authority will update the Register of lobbyists of Ukraine.

Article 17. Procedure for accreditation of lobbyists at public and local self-government authorities.

1. For the purpose of lobbying of public and local self-government authorities, their officers and employees the lobbyists must be accredited by appropriate public and local self-government authorities.

2. According to the procedure for accreditation of lobbyists the lobbyists are accredited for one year directly at such public and local self-government where the lobbying shall take place.

The procedure for accreditation of lobbyists shall be approved by such public or local self-government authority where the lobbying shall take place based on the Generic lobbyist accreditation procedure approved by the Cabinet of Ministers of Ukraine.

The Verkhovna Rada of Ukraine, Verkhovna Rada of Autonomous Republic of Crimea, Cabinet of Minister of Ukraine and the Presidential Administration of Ukraine shall approve the lobbyist accreditation procedure autonomously based on this Law.

3. Accreditation requires availability of the following:

- application for accreditation;
- certified copy of License for lobbying activities.

4. Lobbyist entities must list the individuals that will engage in lobbying on behalf of such entity in their application for accreditation. The number of such individuals shall not exceed five per each accreditation body.

5. The public and local self-government authorities shall maintain a Register of lobbyists accredited at this body. The Register of accredited lobbyists shall include the following information:

- last name, first name and patronymic of the lobbyist person or entity;
- the address of person or venue of entity;
- number of the License for lobbying activities and date of issuance;

- for lobbyist entities – - last name, first name and patronymic and address of their representatives engaged in lobbying on behalf of the lobbyist entity.

6. Accreditation can be extended or revoked taking into account compliance of the subject of lobbying activities with accreditation conditions.

7. The number of public and local self-government authorities, where the lobbyist may be accredited is not limited. Similarly, the number of public and local self-government authorities where the individual engaged in lobbying on behalf of the lobbyist entity is not limited either.

Article 18. Disapproval of accreditation or its continuation at public and local self-government authorities.

1. Accreditation may be disapproved in case of failure to submit or inappropriate completion of the documents listed in part three Article 17 of this Law. The disapproval of accreditation shall be issued in writing and may be challenged in court.

Article 19. Revocation of accreditation of lobbyists at public and local self-government authorities.

1. Accreditation of lobbyist at public and local self-government authorities may be revoked under the following circumstances:

- violation of part two Article 20 of this Law;
- revocation of registration of lobbyist or entering into the Register of lobbyists of Ukraine of information concerning termination of lobbying activities.

2. In case accreditation of lobbyist has been revoked according to paragraph two part one of this Article, such accreditation may be reinstated one year of revocation of accreditation.

Section III. Lobbying activities.

Article 20. Rights and responsibilities of lobbyists.

1. Lobbyists may:

- 1) represent legitimate interests of clients employing the lobbying services;
- 2) have access public and local self-government authorities, officers of these and other entities;

- 3) obtain information concerning activities of these public and local self-government authorities from these bodies, their officers and employees, except for restricted information;

- 4) have pre-arranged meetings with officers and employees of public authorities where the lobbyist is accredited to discuss the issues that are subject to lobbying;

- 5) prepare and disseminate the results of surveys, expert and analytical materials concerning the issues that are subject to lobbying among officers and

employees of public and local self-government authorities where the lobbyist is accredited;

6) organize and facilitate public events (round tables, conferences, seminars) concerning normative legal acts or bills involving officers and employees of public and local self-government authorities;

7) involve in development of normative legal acts to be adopted by the public and local self-government authorities specified in this Law;

8) have due access to the premises of accreditation authority;

9) in rendering lobbying services lobbyists may engage third parties in support of preparatory and other work (surveys, preparation of analytical materials, drafting process etc.) that are not directly related to the influence upon public and local self-government authorities, their officers and employees.

2. Lobbyists shall:

1) strictly adhere to the Constitution of Ukraine, laws of Ukraine and other regulations in their activity.

2) provide accurate information;

3) abide by the work hours of accreditation authorities;

4) impose no hindrance to activities of accreditation authorities;

5) regularly report on lobbying activities to registration authority in accordance with the procedure established by this Law;

6) provide the License for lobbying activities to the registration authority to make a note on the updates made in the Register of lobbyists of Ukraine within ten working days of receipt of request from the registration authority.

3. Lobbyists shall have equal rights and responsibilities.

4. The rights of representatives engaged in lobbying on behalf of lobbyist entities shall be specified in the power of attorney issued by the lobbyist entity within its legal capacity to each representative individually.

5. Lobbyists may not lobby for the opposite interests of various entities in parallel.

Article 21. Contract for lobbying services.

1. The following are essential conditions in contracts for lobbying services; list of lobbying services, covered authorities, lobbying objectives, amount of compensation for lobbying services and terms of payment, time frames of rendering of lobbying services and other conditions defined as substantial by the parties.

2. The contract for lobbying services shall be executed in writing.

3. The current law and specifics required by this Law shall apply to the contract for lobbying services.

4. The terms of the contract that are inconsistent with the requirements of Article 9 of this Law shall be void.

5. The contract for lobbying services may be executed based on power of attorney or assignment. If the contract for lobbying services is executed in favor of

the person other than the client, the entity (group of entities, social group) the interests of which shall be lobbied will be specified in the contract.

6. The lobbyists are forbidden to enter into contracts for lobbying services with other lobbyists. If the lobbyist engages third parties in lobbying services this lobbyist shall be liable to the client in person for activities of these parties. The lobbyist may not engage third parties in the organization of lobbying contacts.

Article 22. Rights and responsibilities of clients employing the lobbying services.

1. Clients employing the lobbying services may:
 - 1) enter into contracts for lobbying services with lobbyists;
 - 2) get familiar with any materials of the lobbyist related to lobbying of interests of the client;
 - 3) receive reports on the course of lobbying and other lobbying services from the lobbyist;
 - 4) enter into contracts for lobbying services with several lobbyists;
 - 5) terminate the contract for lobbying services unilaterally in case of failure of the lobbyist to file a report, lobbyist lobbying the interests that are inconsistent with the interests of the client and under other circumstances specified in the contract for lobbying services;
 - 6) undertake legal action to protect their rights and legitimate interests;
 - 7) exercise other rights as set forth in the current laws of Ukraine.
2. Clients employing the lobbying services shall:
 - 1) adhere to the Constitution of Ukraine, this Law, other current statutes of Ukraine and the contract for lobbying services;
 - 2) provide the lobbyist with the client available information required for lobbying and other lobbying services;
 - 3) pay compensation to the lobbyist for his services in accordance with the contract for lobbying services;
 - 4) provide full and impartial information to lobbyists to be incorporated in reports and statements.

Article 23. Lobbying services and forms of lobbying.

1. Lobbying services include the following:
 - 1) lobbying;
 - 2) drafting normative legal acts;
 - 3) preparation and dissemination of proposals concerning the required normative legal acts, surveys, information analytical and other materials concerning the issues that are subject to regulation of normative legal acts;
 - 4) placements of comments made by professionals, results of various studies, surveys, analytical materials in mass media;

- 5) planning and other preparation to lobbying;
 - 6) other actions that are not forbidden by the law and related to the influence upon public and local self-government authorities, their officers and employees during drafting and adoption of normative legal acts;
2. The following are the forms of lobbying:
- 1) dissemination among officers and employees of public or local self-government authorities where the lobbyist is accredited of proposals concerning the required normative legal acts, results of surveys, information, analytical and other materials concerning the issues that are subject to regulation by normative legal acts adopted by the public or local self-government body (or its officers) where the lobbyist is accredited;
 - 2) involvement in development of normative legal acts by the public or local self-government authorities where the lobbyist is accredited;
 - 3) contacts of lobbyist (telephone conversations, mailing (e-mailing) of statements, claims and proposals, wire or fax messages) with officers and employees of the public and local self-government authorities where the lobbyist is accredited;
 - 4) public events (round tables, conferences, seminars) involving officers and employees of the public and local self-government authorities where the lobbyists are accredited, as well as the general public;
 - 5) other actions that are not forbidden by current laws of Ukraine related to direct communication with officers and employees of the public and local self-government authorities that may influence their position concerning the issues that are subject to regulation by normative legal acts.

Article 24. Rights and responsibilities of public and local self-government authorities during lobbying.

1. Public and local self-government authorities, their officers and employees may:
 - request information, results of social and other studies and analytical materials from the lobbyist;
 - participate in the events facilitated by the lobbyist;
 - exercise other rights according to current laws of Ukraine.
2. The public authorities must adhere to the requirements of this Law and impose no hindrance to the lobbyists in their activities.
3. Public and local self-government authorities, their officers and employees are forbidden:
 - to accept any monetary resources, material values or services from lobbyists or clients employing the lobbying services at no cost;
 - accept any benefits when purchasing goods or services from lobbyists or clients employing the lobbying services.

Article 25. Involvement of lobbyists in the work of Verkhovna Rada of Ukraine.

1. Lobbyists may exert lobbying influence upon people's deputies of Ukraine, deputy factions (groups), committees of Verkhovna Rada of Ukraine.

2. To exert lobbying influence at the Verkhovna Rada of Ukraine the lobbyist may:

Disseminate among people's deputies of Ukraine proposals concerning the required adoption of new laws of Ukraine, adjustment of annulment of current laws of Ukraine, results of social and other studies, information, analytical and other materials concerning the issues that are subject to legislative regulation;

Propose draft laws to people's deputies of Ukraine to forward them to Verkhovna Rada of Ukraine for review;

Mail (e-mail) statements, claims and proposals to people's deputies of Ukraine;

Seek personal reception with people's deputies of Ukraine and their assistants/advisors;

Organize and facilitate workshops, conferences, hearings and other public events involving people's deputies of Ukraine;

Request and receive agenda of meetings of Verkhovna Rada of Ukraine no later than after receiving a notice of the meeting of people's deputies of Ukraine;

Attend meetings of a committee of Verkhovna Rada of Ukraine at the invitation of President of the committee;

Conduct other actions that are not forbidden by the laws to exert influence upon the position of people's deputy of Ukraine concerning the issues that are subject to regulation by laws of Ukraine.

Article 26. Involvement of lobbyists in the work of Administration of the President of Ukraine and other supporting bodies and services established by the President of Ukraine to support execution of his powers.

1. Lobbyists may exert lobbyist influence upon Administration of the President of Ukraine and other supporting bodies and services established by the President of Ukraine to support execution of his powers.

2. To exert legitimate influence upon the above mentioned bodies the lobbyist may:

Propose draft normative legal acts for review;

Mail (e-mail) statements, claims, proposals to the President of Ukraine;

Seek personal meetings with officials of Administration of the President of Ukraine and other supporting bodies and services established by the President of Ukraine to support execution of his powers;

Organize and facilitate workshops, conferences, hearings and other public events involving the President of Ukraine, officials of Administration of the

President of Ukraine and other supporting bodies and services established by the President of Ukraine to support execution of his powers;

Attend meetings of supporting bodies and services established by the President of Ukraine at their invitation;

Provide results of social and other studies, expert analytical and other materials concerning the issues that are referred to their competence to the Administration of the President of Ukraine and other supporting bodies and services established by the President of Ukraine to support execution of his powers;

Conduct other actions that are not forbidden by the laws to exert influence upon the position of the President of Ukraine and other supporting bodies and services established by the President of Ukraine to support execution of his powers concerning the issues that are subject to regulation by laws of Ukraine and normative legal acts of the President of Ukraine.

Article 27. Involvement of lobbyists in the work of Cabinet of Ministers of Ukraine.

1. Lobbyists may exert lobbyist influence upon the Cabinet of Ministers of Ukraine.

2. To exert legitimate influence upon the Cabinet of Ministers of Ukraine the lobbyist may:

Propose draft normative legal acts to the Cabinet of Ministers of Ukraine for review, request and receive information concerning the work of Cabinet of Ministers of Ukraine required for the achievement of lobbying goals and objectives except for restricted information;

Mail (e-mail) statements, claims, proposals to the Cabinet of Ministers of Ukraine;

Organize and facilitate workshops, conferences, hearings and other public events involving members of the Cabinet of Ministers of Ukraine, officers and employees of Secretariat of the Cabinet of Ministers of Ukraine;

Attend meetings of the Cabinet of Ministers of Ukraine and governmental committees at their invitation;

Get involved in the consulting and advisory bodies at the Cabinet of Ministers of Ukraine, interagency working groups established by the Cabinet of Ministers of Ukraine or Secretariat of the Cabinet of Ministers of Ukraine;

Request and receive agenda of meetings of the Cabinet of Ministers of Ukraine and governmental committees;

Provide results of social and other studies, expert analytical and other materials concerning the issues that are referred to their competence to the Secretariat of Cabinet of Ministers of Ukraine;

Conduct other actions that are not forbidden by the laws to exert influence upon the position of members of Cabinet of Ministers of Ukraine, officials of the Secretariat of Cabinet of Ministers of Ukraine concerning the issues that are

subject to regulation by laws of Ukraine and normative legal acts of the Cabinet of Ministers of Ukraine.

Article 28. Involvement of lobbyists in the work of ministries and other central authorities of the executive branch.

1. Lobbyists may exert lobbyist influence upon ministries and other central authorities of the executive branch.

2. To exert legitimate influence upon ministries and other central authorities of the executive branch the lobbyist may:

Propose draft normative legal acts for review;

Request and receive information concerning the work of a ministry or other central authority of the executive branch required for the accomplishment of objectives and goals of lobbying except for restricted information;

Seek personal meetings with officials of a ministry or other central authority of the executive branch in accordance with the Regulation on accreditation of lobbyists;

Mail (e-mail) statements, claims, proposals to the above mentioned officers;

Organize and facilitate workshops, conferences, hearings and other public events involving ministers and the leadership of other central authorities of the executive branch, officers and employees of a ministry or other central authority of the executive branch;

Get involved in the consulting and advisory bodies at the ministry or other central authority of the executive branch;

Provide results of social and other studies, expert analytical and other materials concerning the issues that are referred to their competence to ministries and other central authorities of the executive branch;

Conduct other actions that are not forbidden by the laws to exert influence upon the position of the ministry or other central authority of the executive branch concerning the issues that are subject to regulation by laws of Ukraine and normative legal acts of the Cabinet of Ministers of Ukraine, ministry or other central authority of the executive branch.

Article 29. Involvement of lobbyists in the work of Verkhovna Rada of Autonomous Republic of Crimea, Council of Ministers of Autonomous Republic of Crimea, village, municipal, district and oblast councils.

1. Lobbyists may exert lobbying influence upon the Verkhovna Rada of Autonomous Republic of Crimea, Council of Ministers of Autonomous Republic of Crimea, village, municipal, district and oblast councils.

2. To exert lobbying influence at the Verkhovna Rada of Autonomous Republic of Crimea, Council of Ministers of Autonomous Republic of Crimea, village, municipal, district and oblast councils the lobbyist may:

Propose draft normative legal acts for review;

Request and receive information concerning the work of Verkhovna Rada of Autonomous Republic of Crimea, Council of Ministers of Autonomous Republic of Crimea, village, municipal, district and oblast councils required for the accomplishment of objectives and goals of lobbying except for restricted information;

Seek personal meetings with officials of Verkhovna Rada of Autonomous Republic of Crimea, Council of Ministers of Autonomous Republic of Crimea, village, municipal, district and oblast council in accordance with Regulation on accreditation of lobbyists;

Mail (e-mail) statements, claims, proposals to officials;

Organize and facilitate workshops, conferences, hearings and other public events involving senior executives, officers and employees of Verkhovna Rada of Autonomous Republic of Crimea, Council of Ministers of Autonomous Republic of Crimea, village, municipal, district and oblast council.

Provide results of social and other studies, expert analytical and other materials concerning the issues that are referred to their competence to the Verkhovna Rada of Autonomous Republic of Crimea, Council of Ministers of Autonomous Republic of Crimea, village, municipal, district and oblast council;

Conduct other actions that are not forbidden by the laws to exert influence upon the position of the Verkhovna Rada of Autonomous Republic of Crimea, Council of Ministers of Autonomous Republic of Crimea, village, municipal, district and oblast council concerning the issues that are subject to regulation by normative legal acts of the above authorities.

Article 30. Reporting of subjects of lobbying activities.

1. Lobbyist shall report to the registration authority concerning lobbying activities on a quarterly basis.

2. Lobbyist shall submit reports in person (or send via registered mail) to the registration authority in the format approved by the Cabinet of Ministers of Ukraine.

3. The report on lobbying activities shall include the following data:

- information concerning the clients employing the lobbying services,
- information concerning the amounts of monetary and material resources received under contracts for lobbying services;
- information concerning the amounts of monetary and material resources spent on lobbying and other lobbying services;
- information concerning the public and local self-government authorities covered by lobbying;
- information concerning the lobbied for draft normative legal acts;

4. Registration authority shall conduct random checkouts of the information provided by lobbyist.

Additional audits may be conducted at the request of the public or self-government body where the lobbyist is accredited or at the request of the tax office where the lobbyist is registered.

Article 31. Disclosure of information concerning lobbying activities.

1. The registration authority shall publish information from the Register of lobbyists of Ukraine on its web-site with free access of public to such information.

2. The registration authority shall post information bulletins on its web-site concerning lobbying in Ukraine every three months.

The information bulleting concerning lobbying in Ukraine shall include the following:

- total number of lobbyists registered in the Register of lobbyists of Ukraine during the corresponding period; number of contracts for lobbying services executed during the corresponding period;

- information concerning the clients employing lobbying services, who entered into contracts for lobbying services during the corresponding period;

- information concerning the public and local self-government authorities that were covered by lobbying during the corresponding period;

- information concerning the draft normative legal acts that were covered by lobbying during the corresponding period.

4. The registration authority shall publish annual information bulletin on lobbying in Ukraine in official printed media. Such bulletin shall include:

- information concerning the total number of lobbyists registered in the Register of lobbyists of Ukraine;

- information concerning number of contracts for lobbying services executed during the year;

- information concerning the total amount of monetary and material resources paid (provided) by clients employing the lobbying services under the contracts for lobbying services executed during the year;

- information concerning the public and local self-government authorities covered by lobbying during the year.

- link to the official web-site of the registration authority posting information concerning lobbying in Ukraine for three months in accordance with part 3 of this Article.

Article 32. Association of lobbyists.

1. According to the legislation of Ukraine for business entities lobbyists may establish their associations.

2. Associations of lobbyists shall provide methodical support of lobbyists in their activities, facilitate education and training of lobbyists, develop and introduce rules of professional conduct of lobbyists and conduct other actions that are not forbidden by Ukrainian law.

Section IV. Supervision and control of lobbying activities.**Article 33. State control of lobbying activities.**

1. The state supervision and control of activities of lobbyists shall be the responsibility of registration authority, law enforcement, state tax service and prosecutor offices and other public authorities within the range of their powers and in the manner set forth in Ukrainian legislation.

2. Public and local self-government authorities, their officers and employees shall not interfere with activities of lobbyists.

3. Decisions of public and local self-government authorities, their officers and employees may be challenged in court in accordance with the procedure set forth in Ukrainian laws.

Article 34. State control of lobbyist activities carried out by registration authority.

1. For the purpose of state control of lobbyist activities the registration authority shall:

1) in accordance with this Law pass regulations to regulate lobbying and lobbying services;

2) maintain the Register of lobbyists of Ukraine;

3) monitor compliance of lobbyists with Ukrainian laws;

4) communicates with lobbyists to prevent violation of Ukrainian laws in the sphere of lobbyist activities;

5) in accordance with this law publish information bulletins concerning lobbying in Ukraine;

6) exercise other powers according to laws of Ukraine.

2. The registration authority may:

1) assign its representative to any public events facilitated by lobbyists that involve officers and employees of public and local self-government authorities;

2) receive at written request one each cope of all printed materials that are disseminated by lobbyists for the period not exceeding one year of the date of dissemination of such materials.

Article 35. Public control of lobbyist activities.

1. Public control of lobbyist activities shall be ensured by transparency of information concerning lobbying.

2. Ukrainian citizens have the right to request and receive information concerning lobbyist activities in Ukraine from public and local self-government authorities in accordance of laws of Ukraine.

3. Ukrainian citizens have the right to forward information concerning inconsistency between the information declared by the lobbyist and actually completed to the registration authority and accreditation authority.

Article 36. Financial and tax control.

1. In addition to reporting requirements specified in Article 29 of this Law, lobbyists shall duly file tax, financial and other statements required by Ukrainian laws.

2. State tax offices of Ukraine shall duly control tax imputation and tax payment processes in accordance with taxation laws of Ukraine.

Article 37. Specifics of lobbyist taxation.

1. Lobbyists shall assess and pay taxes in accordance with the general procedure set forth by the current taxation legislation of Ukraine.

2. Lobbyists may not make use of any simplified taxation system.

3. Income tax payers refer the moneys spent under the contracts for lobbying services during the year in the amount not to exceed sixty minimal salaries as of first January of the year of spending to the expenditures reducing the taxable income.

Article 38. Liability for violation of the legislation on regulation of lobbyist activities in Ukraine.

1. Violation of the legislation on regulation of lobbyist activities in Ukraine stipulates for criminal, administrative, disciplinary and civil liability.

2. Violation of this Law anticipates the following action:

- 1) note of warning concerning violation of this Law;
- 2) penalty;
- 3) revocation of lobbyist accreditation;
- 4) revocation of lobbyist registration.

Section V. Final and transitional provisions.

1. This Law shall enter into force six month of publication thereof.

2. The Cabinet of Ministers of Ukraine shall, within three months:

- approve the amount of registration fee for registration of lobbyists and payment procedure;
- ensure the introduction and maintenance of Register of lobbyists of Ukraine;
- ensure, within its competence, adoption of normative legal acts resulting from this Law;
- align its normative legal acts with this Law;

- ensure alignment of normative legal acts of ministries and other central authorities of the executive branch with this Law.

Speaker of Verkhovna Rada of Ukraine