



*LAW OF UKRAINE*

**On Regulation of City Planning Activity**

**(Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 2011, No. 34, Art. 343)**

{As amended in accordance with Laws

[No. 3395-VI of 19.05.2011](#), BVR, 2011, No. 50, Art.537

[No. 4052-VI of 17.11.2011](#), BVR, 2012, No. 27, Art.274

[No. 4220-VI of 22.12.2011](#), BVR, 2012, No. 29, Art.345

[No. 4570-VI of 22.03.2012](#), BVR, 2012, No. 51, Art.576

[No. 5018-VI of 21.06.2012](#), BVR, 2013, No. 22, Art.212

[No. 5021-VI of 22.06.2012](#), BVR, 2013, No. 22, Art.214

[No. 5059-VI of 05.07.2012](#), BVR, 2013, No. 25, Art.251

Code

[No. 5403-VI of 02.10.2012](#), BVR, 2013, No. 34-35, Art.458

with Laws

[No. 5459-VI of 16.10.2012](#), BVR, 2013, No. 48, Art.682

[No. 5496-VI of 20.11.2012](#), BVR, 2014, No. 1, Art.4

[No. 606-VII of 19.09.2013](#), BVR, 2014, No. 20-21, Art.744

[No. 1170-VII of 27.03.2014](#), BVR, 2014, No. 22, Art.816

[No. 1315-VII of 05.06.2014](#), BVR, 2014, No. 31, Art.1058

[No. 92-VIII of 13.01.2015](#), BVR, 2015, No. 10, Art.59

[No. 319-VIII of 09.04.2015](#), BVR, 2015, No. 25, Art.192

[No. 320-VIII of 09.04.2015](#), BVR, 2015, No. 28, Art.236

[No. 766-VIII of 10.11.2015](#), BVR, 2015, No. 52, Art.482

[No. 1472-VIII of 14.07.2016](#), BVR, 2016, No. 34, Art.592

[No. 1540-VIII of 22.09.2016](#), BVR, 2016, No. 51, Art.833

[No. 1817-VIII of 17.01.2017](#), BVR, 2017, No. 9, Art.68

[No. 1854-VIII of 21.02.2017](#), BVR, 2017, No. 13, Art.145

[No. 1983-VIII of 23.03.2017](#), BVR, 2017, No. 25, Art.289

[No. 2020-VIII of 13.04.2017](#), BVR, 2017, No. 22, Art.257

[No. 2059-VIII of 23.05.2017](#), BVR, 2017, No. 29, Art.315

[No. 2118-VIII of 22.06.2017](#), BVR, 2017, No. 33, Art.359

[No. 2119-VIII of 22.06.2017](#), BVR, 2017, No. 34, Art.370

[No. 2276-VIII of 06.02.2018](#), BVR, 2018, No. 11, Art.57  
[No. 2314-VIII of 01.03.2018](#), BVR, 2018, No. 15, Art.121  
[No. 2354-VIII of 20.03.2018](#), BVR, 2018, No. 16, Art.138  
[No. 2363-VIII of 22.03.2018](#), BVR, 2018, No. 17, Art.153  
[No. 2517-VIII of 04.09.2018](#), BVR, 2018, No. 41, Art.317  
[No. 2628-VIII of 23.11.2018](#), BVR, 2018, No. 49, Art.399  
[No. 2712-VIII of 25.04.2019](#), BVR, 2019, No. 23, Art.89  
[No. 124-IX of 20.09.2019](#), BVR, 2019, No. 46, Art.295  
[No. 132-IX of 20.09.2019](#), BVR, 2019, No. 46, Art.299  
[No. 155-IX of 03.10.2019](#), BVR, 2019, No. 48, Art.325 - regarding entering into force see [clause 1](#) of Section XII  
[No. 199-IX of 17.10.2019](#), BVR, 2019, No. 51, Art.377  
[No. 473-IX of 16.01.2020](#), BVR, 2020, No. 34, Art.237  
[No. 554-IX of 13.04.2020](#), BVR, 2020, No. 37, Art.277 — shall enter into force on 1 January 2021  
[No. 711-IX of 17.06.2020](#), BVR, 2020, No. 46, Art.394}

*{In the text of the Law, except for [part two](#) of Article 9, the words "state construction regulations, standards and regulations" in all cases are replaced by the words "construction regulations, state standards and regulations" in the corresponding case according to Law [No. 4220-VI of 22.12.2011](#)}*

*{In the text of the Law, the words "central executive authority for construction, city planning and architecture" in all cases have been replaced with the words "central executive authority that ensures the formation of state policy in the field of city planning" in the appropriate case, the words "State Architectural and Construction Inspectorate", "inspectorate of state architectural and construction Control", "relevant inspection of state architectural and construction control" in all cases and numbers have been replaced with the words "state architectural and construction control body" in the appropriate case and number, and the word "specially" has been deleted according to Law [No. 5459-VI of 16.10.2012](#)}*

*{For changes that relate to the replacement of words in the text of the Law, see [subclause 31](#), clause 7 of Law No. 5496-VI of 20 November 2012}*

*{In the text of the Law, the words "state standards" and "standards" in all cases and forms have been deleted pursuant to Law [No. 124-IX of 20 September 2019](#)}*

The Law establishes the legal and organizational principles of city planning activity and is aimed at ensuring sustainable development of territories with due consideration of state, community and private interests.

## **Section I**

### **GENERAL PROVISIONS**

#### **Article 1. Definitions**

1. For the purposes of this Law, the following definitions shall apply:

1) Construction shall mean new construction, reconstruction, restoration, major repairs of the construction object;

*{Clause, part 1 of Article 1 as amended by Law [No. 199-IX of 17 October 2019](#)}*

1<sup>1</sup>) [General scheme for planning the territory of Ukraine](#) shall mean city planning documentation defining conceptual solutions for planning and use of the territory of Ukraine;

*{Part one of Article 1 has been supplemented with clause 1<sup>1</sup> under the Law [No. 199-IX of 17.10.2019](#)}*

2) General scheme of a locality shall mean the city planning documentation defining fundamental decisions for the development, planning, development and other use of the territory of a locality;

3) The territory's detailed plan shall mean the city planning documentation defining the planning organization and development of the territory;

4) Customer shall mean an individual or legal entity intending to develop the territory (one or more land plots) and having submitted an application in accordance with the procedure established by law;

4<sup>1</sup>) Consulting engineer shall mean a specialist with a qualification level, confirmed by the personnel certification body accredited in the relevant field in accordance with the law and/or the economic entity which has such specialists in its composition, that manages the project, provides organizational and advisory support for the complex of works connected with the creation of an architecture work, adopts appropriate decisions on behalf of the customer and performs other functions specified by an agreement;

*{Part one of Article 1 has been supplemented with Clause 4<sup>1</sup> under Law [No. 199-IX of 17.10.2019](#)}*

5) Engineering and transport infrastructure shall mean a complex of engineering, transport structures and communications;

6) Development control lines shall mean boundaries defined in the city planning documents for the location of buildings and structures with respect to red lines, boundaries of individual land plot, natural boundaries and other territories;

7) City planning documentation shall mean approved textual and graphic materials on the regulation of planning, development and other use of territories;

8) City planning conditions and restrictions for the development of a land plot (hereinafter referred to as the city planning conditions and restrictions) shall mean a document containing a set of planning and architectural requirements for the design and construction regarding the number of storeys and density of development of a land plot, derogation of houses and structures from red lines, boundaries of a land plot, its

improvement and landscaping, other requirements for construction objects established by legislation and city planning documentation;

9) Territory zoning plan (zoning) shall mean a city planning documentation defining conditions and restrictions for the use of territory for city planning needs within defined areas;

10) Suburban zone shall mean a territory that ensures the spatial and social and economic development of the city;

11) Project documentation shall mean approved text and graphic materials that determine city planning, spatial planning, architectural, structural, technical, technological solutions, as well as estimates of construction objects;

12) Scheme for planning territory at the regional level shall mean planning documentation elaborated to develop the [General scheme of the territory of Ukraine](#) and defines fundamental decisions for the development, planning, development, use of territories of administrative and territorial units and their individual parts;

13) Territory shall mean a part of the Earth's surface with air space and subsurface resources located under it within certain limits (borders), which has a certain geographical location, natural conditions and resources created as a result of human activities;

14) Red lines shall mean the boundaries of existing and projected streets, roads, and squares that separate built-up areas and territories for other purposes defined in the city planning documentation for geodetic network points;

15) Means of unimpeded access to objects shall mean engineering and technical, functional parts (elements, structures) of buildings, structures of any purpose that meet the regulatory requirements for ensuring the accessibility and safety of objects for persons with disabilities and other low-mobility groups of the population, in particular ramps, lifts and platforms for persons with disabilities, sound systems, etc;

*{Part one of Article 1 is supplemented by Clause 15 in accordance with Law [No. 473-IX of 16.01.2020](#)}*

16) People with limited mobility shall mean persons experiencing difficulties in independent movement, obtaining services, necessary information or when orienting in a place, in particular persons with disabilities, persons with temporary impairment of health, pregnant women, elderly citizens, persons with baby strollers.

*{Part one of Article 1 is supplemented by Clause 16 in accordance with Law [No. 473-IX of 16.01.2020](#)}*

## **Article 2. Territory planning and development**

1. Territory planning and development shall be an activity of state bodies, bodies of local self-government, legal entities and individuals that entails:

- 1) forecasting territory development;
- 2) ensuring rational displacement of population and determining directions of sustainable territory development;
- 3) substantiating land distribution by its intended purpose;
- 4) mutual coordination of state, community and private interests during territory zoning and development;
- 5) determining and reasonable mutual placement of residential and civil areas, industrial, recreational, environmental, health care, historical and cultural, and other zones and objects;
- 6) determining development regimes for territories on which city planning activity is envisaged;
- 7) elaboration of city planning and project documentation, constructing objects;
- 8) reconstructing the existing buildings and territories;
- 9) preserving, creating and restoring recreational, environmental and health care territories and objects, landscapes, forests, parks, mini parks and separate vegetation sites;
- 10) creating and developing engineering and transport infrastructure;
- 10<sup>-1</sup>) creating an unhindered living environment for people with disabilities and other low-mobility groups of the population;

*{Part one of Article 2 has been supplemented with clause -1 [under Law No. 5496-VI of 20.11.2012](#)}*

- 11) monitoring of development;
- 12) maintaining the city planning cadastre;
- 13) exercising control in the sphere of city planning.

2. The instrument for the state regulation of territory planning shall be the city planning documentation, which is divided into documentation of the state, regional and local levels.

3. The city planning documentation shall be elaborated in hard copy and electronic media on an up-to-date digital cartographic basis as profile geospatial data sets in the state geodetic coordinate system of the USK-2000 and the unified classification and coding system for construction objects for the formation of city planning databases.

4. City planning documents shall be subject to strategic environmental assessment in accordance with the procedure established by [the Law of Ukraine "On Strategic Environmental Assessment"](#). The section entitled "Environment Protection", prepared as Part of the city planning document draft, shall also act as strategic environmental

assessment report that must meet the requirements of the Law of Ukraine "On Strategic Environmental Assessment";

*{Article 2 has been supplemented with part four under Law [No. 2354-VIII of 20.03.2018](#)}*

### **Article 3.** Legislation on city planning activity

1. Relations in the field of city planning activity shall be regulated by the [Constitution of Ukraine](#), [the Civil Code](#), [the Economic Code](#) and [the Land Code of Ukraine](#), this Law, the Laws of Ukraine "[On the General Scheme for Planning the Ukrainian Territory](#)" and "[On the Principles of Town Planning](#)", "[On Architectural Activity](#)", "[On Comprehensive Reconstruction of Quarters \(Microdistricts\) of Obsolete Housing Stock](#)", "[On Land Management](#)", other regulatory acts.

Regulatory aspects of city planning activity in areas contaminated by radioactive contamination as a result of the Chernobyl catastrophe within the exclusion zone and the zone of the unconditional (compulsory) resettlement of the territory exposed to radioactive contamination due to the Chernobyl disaster shall be determined by [the Law of Ukraine](#) "[On the Legal Status of the Territory Exposed to Radioactive Contamination in the Consequence of the Chernobyl Catastrophe](#)".

*{Part one of Article 3 has been supplemented with paragraph two under Law [No. 1472-VIII of 14.07.2016](#)}*

2. If an international treaty of Ukraine ratified by the Verkhovna Rada of Ukraine establishes regulations other than those stipulated by this Law, the regulations of the international treaty shall apply.

### **Article 4.** Objects and subjects of city planning

1. The objects of city planning at the state and regional levels shall be the planning organization of the territory, the settlement system, the system of interconnected complex placement of the main objects of industry, transport, engineering and social infrastructure, functional zoning of the territory of Ukraine, its parts (groups of regions), the territory of the Autonomous Republic of Crimea, regions, administrative districts.

Objects of city planning at the local level shall be the planning organization of the territory of a locality, its part (group of land plots) with a common planning structure, spatial solution, engineering and transport infrastructure, a complex of construction objects determined in accordance with:

*{Paragraph two, part 1 of Article 4 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

in localities — the boundaries of localities, their functional zones (residential, industrial, etc.), residential areas, micro-districts (quarters), suburban areas in accordance with city planning documentation at the local level;

*{Paragraph of part one, Article 4 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

outside localities — the borders of suburban areas, as well as functional zones in accordance with city planning documentation at the regional level.

*{Paragraph of part one, Article 4 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

Construction objects shall be houses, buildings, structures of any purpose, their complexes and parts, linear objects of engineering and transport infrastructure.

*{Paragraph five, part 1 of Article 14 as amended by the Law [No. 320-VIII of 9 April 2015](#)}*

Construction objects shall not include oil and gas wells and their construction objects.

*{Part one of Article 4 has been supplemented with paragraph six in accordance with the Law [No. 2314-VIII of 01.03.2018](#)}*

2. The subjects of city planning shall be executive authorities, the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, local authorities, individuals and legal entities.

**Article 5.** Observance of obligatory requirements of city planning documentation

1. Programmes for the development of regions and localities, programmes of economic, social and cultural development must be harmonized with the city planning documentation of the appropriate level.

2. The requirements of city planning documentation shall be mandatory for all subjects of city planning.

## **Section II**

### **MANAGEMENT OF CITY PLANNING ACTIVITY**

**Article 6.** Authorities responsible for city planning, architectural and construction control and supervision

*{Title of Article 6 as amended by the Law [No. 320-VIII of 09.04.2015](#)}*

1. The Verkhovna Rada, the Cabinet of Ministers of Ukraine, the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea and the central executive authority responsible for shaping the state policy in the area of city planning, the central executive body implementing the state policy in the area of city planning, the central executive authority implementing the state policy on the matters of the state architectural and construction control and supervision, the state architectural and construction control bodies, other authorized city planning and architecture bodies, local state administrations, local authorities and local government shall perform management over city planning activity.

*{Part five, Article 6 as amended by the Laws [No. 5459-VI of 16.10.2012](#), [No. 320-VIII of 09.04.2015](#)}*

2. The bodies responsible of city planning and architecture shall include the bodies defined in [Article 13](#) of the Law of Ukraine "On Architectural Activity".

*{Article 6 has been supplemented with a part two under Law [No. 320-VIII of 09.04.2015](#)}*

3. The state architectural and construction control bodies shall include as follows:

1) structural divisions for state architectural and construction control of the Kyiv and Sevastopol city state administrations;

2) executive bodies for state architectural and construction control of village, settlement, city councils;

The state architectural and construction control and supervision body shall be the central executive authority that implements the state policy on state architectural and construction control and supervision.

[The model regulation on the state architectural and construction control bodies](#) shall be approved by the Cabinet of Ministers of Ukraine.

*{Article 6 has been supplemented with a part three under Law [No. 320-VIII of 09.04.2015](#)}*

**Article 7.** Content of the management of city planning, state architectural and construction control and supervision

1. Management of city planning and architectural and construction control shall be carried out by means of:

1) Planning of territories at the state, regional and local levels;

2) Monitoring the state of elaboration and implementation of city planning documentation at all levels;

3) Determination of state interests for their consideration in the elaboration of city planning documentation;

4) Conducting licensing and professional certification;

5) Elaboration and approval of construction regulations, estimated standards, regulations and rules, introduction of simultaneous application of construction regulations developed on the basis of the national technological traditions, and construction regulations brought into compliance with the requirements of the European Union;

*{Clause 5, part 1 of Article 7 as revised by Law [No. 124-IX of 20.09.2019](#)}*

6) Control over compliance with legislation in the field of city planning, requirements of construction regulations and regulations, provisions of city planning documentation at all levels, initial data for the design of city planning objects (hereinafter referred to as the "initial data"), project documentation;

7) Provision (receipt, registration), refusal to issue or abrogation (cancellation) of documents granting the right to perform preparatory and construction works, acceptance into operation of completed construction objects (except for abrogation (cancellation) of documents certifying the acceptance into operation of completed construction objects):

*{Paragraph one, clause 7, part one, Article 7 as amended by the Law [No.199-IX of 17.10.2019](#)}*

executive bodies for state architectural and construction control of the village, settlement, city councils (except for city councils of localities that are the administrative centres of regions, and city councils of localities with a population above 50 thousand) — in relation to objects that, according to the class of consequences (liability), belong to objects with minor consequences (CC1) located within the relevant localities;

executive bodies on the matters of the state architectural and construction control of city councils of localities that are the administrative centres of regions, city councils of localities with a population over 50 thousand, structural divisions on the matters of state architectural and construction control of Kyiv and Sevastopol city state administrations — in relation to objects, according to the class of consequences (liability) belong to objects with minor (CC1) and medium (CC2) consequences located within the respective localities;

the central executive authority implementing the state policy on the matters of the state architectural and construction control and supervision, through the chief inspectors of construction supervision — in relation to objects, according to the class of consequences (liability) belong to objects with minor (CC1), medium (CC2) and significant (CC3) consequences, located outside localities and on the territory of several administrative and territorial units, in relation to objects, according to the class of consequences (liability) belong to objects with average consequences (CC2) located within villages, settlements and cities (except for cities that are the administrative centres of regions, cities with a population above 50 thousand, the cities of Kyiv and Sevastopol), as well as in relation to all objects that, according to the class of consequences (liability), belong to objects with significant consequences (CC3) located within localities;

*{Clause 7, part 1 of Article 7 as amended by the Law [No. 1817-VIII of 17.01.2017](#)}*

8) implementation of the state architectural and construction control over objects located within and outside localities, on the territory of several administrative and territorial units specified in clause 7, part one of this Article.

2. If village, settlement, city councils have not formed executive bodies on the matters of the state architectural and construction control, the powers of such bodies shall be performed by the central executive authority implementing the state policy on the matters of state architectural and construction control and supervision, through the relevant chief inspectors of construction supervision.

*{Part 3 of Article 7 has been deleted under Law [No. 1817-VIII of 17.01.2017](#)}*

4. The heads of structural divisions for state architectural and construction control of the Kyiv and Sevastopol city state administrations, executive bodies of the village, settlement, city councils shall be appointed and dismissed in accordance with the procedure established by law. Such heads must meet the qualification requirements established by the legislation of Ukraine. Within three days after the appointment of the head of the structural division for state architectural and construction control, the Kyiv and Sevastopol city state administrations and executive bodies of the village, settlement, city councils shall be obliged to inform the central executive authority implementing the state policy on the state architectural and construction control and supervision.

5. Structural divisions on matters of the state architectural and construction control of the Kyiv and Sevastopol city state administrations and executive bodies on state architectural and construction control of village, settlement, city councils within the limits of state powers delegated hereby shall be controlled by the central executive authority implementing state policy on state architectural and construction control and supervision, and their decisions may be considered in the procedure of the state architectural and construction supervision or appealed to the court.

6. The bodies responsible for city planning, architectural and construction control and supervision shall be prohibited from requiring the construction customer to provide any services, tangible or intangible assets, including the construction of objects.

*{Article 7 has been supplemented with part six under Law [No. 132-IX of 20.09.2019](#)}*

*{Article 7 as amended by the Law [No. 5496-VI of 20.11.2012](#); as amended by the Law [No. 320-VIII of 09.04.2015](#)}*

#### **Article 8.** Organization of planning and development of the territories

1. Territory planning shall be carried out at the state, regional and local levels by the relevant executive authorities, the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea and local governments.

2. Land plots shall be planned and developed by their owners or users in accordance with the procedure established by law.

3. Decisions on the territory planning and development shall be taken by village, settlement and city councils and their executive bodies, district and regional councils, the Kyiv and Sevastopol city administrations, within the limits of their statutory power with due consideration of requirements of city planning documentation.

*{Part three of Article 8 as amended by Law [No. 5459-VI of 16.10.2012](#)}*

#### **Article 9.** Statutory regulation of planning and development of the territories

1. The statutory regulation of planning and development of the territories shall be implemented through the adoption of regulatory acts, regulations and state and sectoral construction regulations.

*{Part one of Article 9 as amended by Law [No. 124-IX of 20 September 2019](#)}*

2. The central executive authority responsible for shaping and implementing the state policy in the area of construction, city planning and architecture, as well as elaborating, approving, reviewing, amending and repealing the state construction regulations.

*{Part two of Article 9 as amended by the Law [No. 1315-VII of 05.06.2014](#)}*

*{The text of Article 9 as revised by Law No. [5496-VI of 20.11.2012](#)}*

### **Section III TERRITORY PLANNING**

#### **Article 10.** Financing of territory planning works

1. Territory planning works at the state level, elaboration of regulative acts on the territory planning and development thereof as well as priority research activities shall be financed from the State budget of Ukraine.

*{Part one of Article 10 as amended by the Law [No. 124-IX of 20 September 2019](#)}*

2. Territory planning works of the Autonomous Republic of Crimea, regions, districts, localities, city districts, quarters and city planning monitoring shall be financed from the relevant local budgets or other sources, not prohibited by law.

*{Part two of Article 10 as amended by Laws [No. 5496-VI of 20.11.2012](#), [No. 199-IX of 17.10.2019](#)}*

3. The works for the elaboration of the necessary project documentation, planning and development of the separate land plots whereon owners or users intend to build shall be financed by such persons or other sources, not prohibited by law.

*{Part three of Article 10 as amended under Law [No. 5496-VI of 20.11.2012](#); as amended under Law [No. 199-IX of 17.10.2019](#)}*

4. By decision of the executive authority or local government, funds may be obtained from sources other than those prohibited by law, in order to elaborate a zoning plan and a detailed plan of the territory, provided that the appropriate local government authority acts as a customer.

#### **Article 11.** Territory planning at the state level

1. Territory planning at the state level shall be carried out through the elaboration, in accordance with the law, of the [General scheme of the territory of Ukraine](#), the scheme for planning certain parts of the territory of Ukraine and the introduction of amendments thereto.

2. City planning documentation at the state level shall be subject to appraisal and strategic environmental assessment.

*{Part two of Article 11 as amended by the Law [No. 2354-VIII of 20.03.2018](#)}*

**Article 12.** Elaboration and approval of schemes for planning certain parts of the territory of Ukraine

1. By decision of the Cabinet of Ministers of Ukraine, schemes shall be elaborated for planning certain parts of the territory of Ukraine: several regions, the coasts of the Black Sea and the Sea of Azov, the mountainous areas of the Carpathians and the areas contaminated by radioactive contamination as a result of the Chernobyl catastrophe, and other areas with a high technological load or risk of emergency.

2. The Verkhovna Rada of the Autonomous Republic of Crimea and the relevant regional councils shall be the customers of the schemes for planning certain parts of the territory of Ukraine.

3. Schemes for planning certain parts of the territory of Ukraine shall be approved by the decision of the customers of such plans.

4. The composition, content and procedure for elaborating schemes for planning certain parts of the territory of Ukraine shall be determined by the central executive authority responsible for shaping state policy in the area of city planning.

**Article 13.** Territory planning at the regional level

1. Territory planning at the regional level shall be carried out through the elaboration of schemes for planning territory of the Autonomous Republic of Crimea, the regions and districts.

2. The Council of Ministers of the Autonomous Republic of Crimea, regional (district) state administrations may decide on the elaboration of schemes for planning certain parts of the Autonomous Republic of Crimea and regions (districts).

*{Article 13 has been supplemented with part two under Law [No. 5496-VI of 20.11.2012](#)}*

**Article 14.** Elaboration and approval of schemes for planning territory of the Autonomous Republic of Crimea, regions and districts

1. The Verkhovna Rada of the Autonomous Republic of Crimea, the region or district council shall decide on the elaboration of planned layout of the territory of the Autonomous Republic of Crimea, relevant region or districts or on any amendments thereto as well as individual sections thereof.

*{Part one of Article 14 as amended by the Law [No. 5496-VI of 20.11.2012](#)}*

2. The Council of Ministers of the Autonomous Republic of Crimea, the region and the district state administrations shall organize the elaboration and introduction of

amendments to the schemes for planning territory of the Autonomous Republic of Crimea, regions and districts.

*{Part two of Article 14 as amended by the Law [No. 5496-VI of 20.11.2012](#)}*

3. The Verkhovna Rada of the Autonomous Republic of Crimea and the relevant regional and district councils shall be the customers of the schemes for planning territory of the Autonomous Republic of Crimea, regions and districts.

4. Schemes for planning the territory of the Autonomous Republic of Crimea, regions and districts shall be approved by the decision of the respective councils, provided that a strategic environmental assessment is carried out and the positive conclusion of the state expertise is obtained.

*{Part four of Article 14 as amended by the Law [No. 2354-VIII of 20.03.2018](#)}*

5. The composition, content and [procedure](#) for the elaboration of city planning documentation at the regional level shall be determined by the central executive authority responsible for shaping the state policy in the area of city planning.

**Article 15.** Implementation of schemes for planning territory of the Autonomous Republic of Crimea, regions and districts

1. The schemes for planning territory of the Autonomous Republic of Crimea, regions and districts shall be implemented through the elaboration, approval and performance of appropriate programmes for the economic and social development

2. The Council of Ministers of the Autonomous Republic of Crimea and the regional and district state administrations shall monitor the implementation of schemes for planning territory of the Autonomous Republic of Crimea, regions and districts.

3. In the event of a change in the social and economic indicators on the basis of which the schemes for planning territory have been elaborated for the territory of the Autonomous Republic of Crimea, region and district, or in the event of a need to place thereon any objects of state, regional significance, the Verkhovna Rada of the Autonomous Republic of Crimea, regional or district council shall decide on the elaboration of or amendment to the planned layout of the respective territory.

**Article 16.** Territory planning at the local level

1. Territory planning at the local level shall be carried out by elaborating and approving general schemes of localities, territory zoning plans and detailed territory plans, as well as updating and amending thereof.

*{Paragraph one, part one of Article 16 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

City planning documentation at the local level shall be elaborated with the due consideration of data from the state land cadastre on an up-to-date cartographic basis in digital form, as the spatial oriented information in the state system of coordinates on hard copy and electronic media.

The procedure for the exchange of information between the city planning cadastre and the state land cadastre shall be established by the Cabinet of Ministers of Ukraine.

2. City planning documentation at the local level may be updated by decision of local councils.

The updating of city planning documentation shall provide for:

- 1) Updating of the cartographic and geodetic framework;
- 2) Transferring thereof from hard copy to vector and digital form;
- 3) Bringing city planning documentation into line with the requirements of the legislation on city planning and building standards and codes.

*{Part two of Article 16 has been supplemented with clause 3 under Law [No. 5496-VI of 20.11.2012](#)}*

3. The composition, content and procedure for the elaboration and updating of city planning documentation at the local level shall be determined by the central executive authority responsible for shaping the state policy in the area of city planning.

4. The approval of updated city planning documentation at the local level shall be in accordance with [Articles 17, 18 and 19](#) of this Law.

#### **Article 17.** General scheme of a locality

1. General scheme of a locality shall be the main type of city planning documentation on the local level, intended for substantiating the long-term planning and development strategy of the appropriate locality.

On the basis of the approved general scheme of a locality, a plan for land and economic structure is elaborated, which, once approved, shall become an integral part of the General scheme.

*{Paragraph two, part one of Article 17 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

The sequence of works on the elaboration of the general scheme of the locality and the documentation on land management shall be determined by the construction regulations and rules and tasks for the elaboration (amendment, updating) of city planning documentation, which is drawn up and approved by its customer in agreement with the developer.

*{Paragraph of part one, Article 17 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

A zoning plan of the locality may be developed as part of the general scheme of this locality. The zoning plan can also be developed as a separate urban planning document after the approval of the general scheme.

2. The general scheme of a locality shall be developed and approved for the benefit of the territorial community concerned with the due consideration of the state public and private interests.

For localities with a population below 50 000 citizens, general schemes may be combined with detailed plans for the entire territory of such localities.

3. For localities on the List of Historical Inhabited Areas of Ukraine, within the limits of certain historical habitats, the general scheme of the settlement shall define the development regulation regimes and develop a historical and architectural reference plan, which contains information on cultural heritage.

4. The composition, content and [procedure for the development of a historical and architectural reference plan of a locality](#) shall be determined by the central executive authority responsible for shaping state policy in the area of city planning.

5. Executive bodies of village, settlement and city councils, Kyiv and Sevastopol city administrations shall be the customers arranging for the development, amendment and submission of the general scheme of a locality to the consideration of the appropriate village, settlement and city council.

6. The decision to develop a general scheme shall be taken by the relevant village, settlement and city council.

7. The executive bodies of the village, settlement and city councils, the Kyiv and Sevastopol city administrations shall, within the term set:

1) Submit proposals for the relevant local budget for the following year or for amendments to the budget for the current year regarding the need to develop city planning documentation;

2) Determine, in accordance with the procedure established by law, a developer of the general scheme of a locality, the terms for its development and the financing sources;

3) Apply to the regional state administration, the Council of Ministers of the Autonomous Republic of Crimea (for cities of regional and republican of significance of the Autonomous Republic of Crimea), the central executive authority responsible for shaping state policy on city planning (for the cities of Kyiv and Sevastopol) with a view to identifying the state's interests for consideration thereof in the development of the general scheme of a locality;

*{Clause 3, part seven of Article 17 as amended by the Law [No. 5459-VI of 16.10.2012](#)}*

4) Inform, through the local media, of the beginning of the development of the general scheme of a locality and determine the procedure and terms for the submission of proposals thereto by individuals and legal entities;

5) Ensure the preliminary consideration of the materials for the development of the general scheme of a locality by the architectural and city planning councils of the appropriate level;

6) Agree on the draft general scheme of a locality with the local governments, which represent the interests of the contiguous territorial communities, with a view to resolving the issues of territory planning in suburban areas;

6<sup>1</sup>) Ensure the preparation of a draft general scheme of a locality, taking into account the restrictions on the use of the airfield area established in accordance with [the Air Code of Ukraine](#);

*{Part seven of Article 17 has been supplemented with Clause 6-1 under Law [No. 199-IX of 17.10.2019](#)}*

7) ensure the implementation of strategic environmental assessment.

*{Part seven of Article 17 has been supplemented with clause 7 under Law [No. 2354-VIII of 20.03.2018](#)}*

8. The period of validity of the general scheme of the locality shall be unlimited.

9. The general scheme of a locality may not be amended more than once every five years.

Such amendments shall be made by the local government, which approved the general scheme of a locality. The issue of early amendments to the general scheme of a locality may be addressed, as of the results of the city planning monitoring, to the relevant village, settlement or city council by the corresponding local state administration.

*{Paragraph one, part nine of Article 17 as amended by the Law [No. 5496-VI of 20.11.2012](#)}*

In the event of a state need, the Cabinet of Ministers of Ukraine shall decide on the necessity to amend the general scheme of a locality.

10. General schemes of the localities and amendments thereto shall be reviewed and approved by the respective village, settlement and city councils at regular sessions within three months from the date of their submission.

11. The materials of the general scheme of the locality may not contain information with restricted access or be restricted in access. The general accessibility of the materials of the general scheme of the locality shall be ensured in accordance with the requirements of [the Law of Ukraine "On Access to Public Information"](#) by making them available upon the request for information and by publishing them on the website of the local government, including in the form of open data, on a single state web portal of open data, in local periodical print media, in a public accessible place on the premises of a local government.

*{Part eleven of Article 17 as amended by the Laws [No. 1170-VII of 27.03.2014](#), [No. 319-VIII of 09.04.2015](#)}*

12. Only general city schemes shall be subject to expert analysis of city planning documentation at the local level.

[The procedure for carrying out the expertise](#) shall be determined by the Cabinet of Ministers of Ukraine.

### **Article 18.** Territory zoning plan

1. Territory zoning plan shall be developed on the basis of the general scheme of the locality (either as part of it or as a separate document) in order to define the conditions and restrictions for the use of the territory for city planning purposes within certain areas.

*{Paragraph one, part one of Article 18 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

*{Paragraph two, Part 1 of Article 18 has been deleted under Law [No. 5496-VI of 20.11.2012](#)}*

Territory zoning plan shall be developed with a view to creating favourable conditions for human activity, protecting the territories from technological and natural disasters, and preventing the excessive concentration of population and production objects, reduction of pollution of the natural environment, protection and use of territories with special status, including landscapes, historical and cultural heritage, as well as agricultural land and forests, and shall be subject to strategic environmental assessment.

*{Paragraph three, part 1 of Article 18 as amended by the Law [No. 2354-VIII of 20.03.2018](#)}*

2. Territory zoning plan shall specify the functional purpose, the requirements for the development of the individual areas (functional zones) of the locality and their landscape structure.

*{Part two of Article 18 as revised by the Law [No. 5496-VI of 20.11.2012](#)}*

3. Territory zoning shall be carried out in accordance with the following requirements:

- 1) Taking into account previous planning and development decisions;
- 2) Allocation of zones of limited city planning activity;
- 3) Display of the existing territory development, engineering and transport infrastructure as well as the basic elements of the territory planning structure;
- 4) Taking into account local conditions when defining functional zones;

5) Establishment, for each zone, of permitted and permissible types to use the territory for city planning needs, conditions and restrictions in regards to their development;

*{Clause 5, part three of Article 18 as revised by the Law [No. 5496-VI of 20.11.2012](#)}*

6) Coordination of the boundaries of zones with the boundaries of natural complexes, sanitary, protective and other restricted land use zones and red lines;

7) Display of the boundaries of the coastal protection lines and the beach zones of water bodies;

*{Part three of Article 18 has been supplemented with clause 7 under Law [No. 5496-VI of 20.11.2012](#)}*

8) Display of restrictions (including boundaries) on the use of the airfield territory established in accordance with [the Air Code of Ukraine](#).

*{Part three of Article 18 has been supplemented with Clause 8 under Law [No. 199-IX of 17.10.2019](#)}*

4. Parameters for the use of territory and buildings proposed to be placed within multiple land plots or a separate land plot, in particular, functional use, maximum number of floors and the development area, possible placement on a land plot, shall be mandatory taken into consideration while zoning the territory concerned.

The list of these parameters shall be determined by the central executive authority responsible for shaping state policy on city planning.

5. Any amendments to the territory zoning plan shall be permitted provided that they are in accordance with the general scheme of the locality.

6. The composition, content and procedure for the development of the territory zoning plan shall be determined by the central executive authority responsible for shaping state policy in the area of city planning.

7. Individuals and legal entities shall be liable under the law for violation of the requirements for the territory zoning plan.

8. The territory zoning plan shall be approved at the plenary sessions of the village, settlement and city council within 30 days of its submission.

The territory zoning plan shall not be subject to expert review.

#### **Article 19.** Detailed territory plan

1. A detailed territory plan within a locality shall specify the provisions of the general scheme of the locality and define the planning organization and development of part of the territory.

A detailed territory plan shall be developed for the purpose of defining the planning organization and functional purpose, the spatial composition and parameters of the development and landscape structure of a quarter, a micro-district and other part of the territory of a locality, designed for integrated development or reconstruction, and shall be subject to strategic environmental assessment.

*{Paragraph two, part 1 of Article 19 as amended by the Law [No. 2354-VIII of 20.03.2018](#)}*

*{Part one of Article 19 as revised by the Law [No. 5496-VI of 20.11.2012](#)}*

2. A detailed territory plan of the outside locality areas shall be developed in accordance with the territory (part of the territory) plan of the district and/or region, with the due regard to the restrictions on the use of the airfield area, established in accordance with [the Air Code of Ukraine](#), and state and regional interests.

*{Paragraph one, part two of Article 19 as amended by the Law [No. 199-IX of 17.10.2019](#)}*

The development of a detailed territory plan of the outside locality areas and amendments thereto shall be carried out on the basis of an order of the relevant district state administration, unless otherwise provided by law.

*{Paragraph two, part two of Article 19 as amended by the Law [No. 155-IX of 03.10.2019](#)}*

*{Part two of Article 19 as revised by the Law [No. 5496-VI of 20.11.2012](#)}*

3. On the basis of and subject to the provisions of the approved detailed territory plan, a land management project may be developed to regularize this territory for city planning purposes, which, once approved, becomes an integral part of the detailed territory plan.

*{Part three of Article 19 as revised by the Law [No. 5496-VI of 20.11.2012](#)}*

4. The detailed territory plan shall define:

- 1) The principles for planning and spatial arrangement of the development;
- 2) The red lines and development control lines;

3) The functional purpose, regime and parameters of the development of one or more land plots, the allocation of land in accordance with construction regulations and regulations;

4) The city planning conditions and restrictions (in the absence of a territory zoning plan) or clarification of city planning conditions and restrictions in accordance with the territory zoning plan;

5) The need for enterprises and institutions providing services to the population and their location;

6) The appropriateness, volume and sequencing of the reconstruction of the development;

7) Priorities and volumes of the territory engineering preparation;

8) The system of engineering networks;

9) The procedure for organization of traffic and pedestrian flow;

10) The procedure for comprehensive improvement and greening, and the need to create an eco-network;

*{Clause 10, part four of Article 19 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

11) The boundaries of coastal protective lines and beach areas of water bodies (in the absence of a territory zoning plan).

*{Part four of Article 19 has been supplemented with clause 11 under Law [No. 5496-VI of 20.11.2012](#)}*

5. The detailed territory plan shall consist of graphical and text materials.

6. The composition, content and procedure for the approval and development of the detailed territory plan shall be determined by the central executive authority responsible for shaping state policy in the area of city planning.

7. The materials of the detailed territory plan may not contain information with restricted access or be restricted in access. The general accessibility of the materials of the detailed territory plan shall be ensured in accordance with the requirements of [the Law of Ukraine "On Access to Public Information"](#) by making them available upon the request for information and by publishing them on the website of the local government, including in the form of open data, on a single state web portal of open data, in local periodical print media, in a public accessible place on the premises of a local government.

*{Part 7 of Article 19 as amended by Law [No. 1405-VIII of 09.04.2015](#)}*

8. The detailed territory plan within the locality shall be considered and approved by the executive body of the village, settlement and city council within 30 days from the date of its submission, in the absence of a territory zoning plan approved in accordance with the procedure established hereby, — by the relevant village, settlement and city councils except in the cases provided for herein.

The detailed territory plan within the locality in terms of state-owned land to be leased for the purposes of the public and private partnership, in particular concession, shall be considered and approved by the relevant state administration within 30 days from the date of its submission. In such a case, the works on the development of the detailed territory plan may be financed at the expense of the state budget, the local budget, the budget of the Autonomous Republic of Crimea or the resources of enterprises, institutions and organizations in the sphere of the management of the concessionaire, a state partner or other sources not prohibited by law.

The detailed territory plan of the outside the locality area shall be considered and approved by the relevant district state administration within 30 days from the date of its submission.

*{Part eight of Article 19 as amended by Law [No. 5496-VI of 20.11.2012](#); as amended by Law [No. 155-IX of 03.10.2019](#)}*

9. The detailed territory plan shall not be subject to the expertise review.

10. Amendments to the detailed territory plan shall be permitted provided that they are in accordance with the general scheme of the locality and the territory zoning plan.

#### **Article 20.** Architectural and city planning councils

1. For professional discussion of project decisions in the area of city planning, the central executive authority responsible for shaping state policy on city planning, authorized city planning and architecture bodies may form architectural and city planning councils as advisory bodies operating on a voluntary basis.

[The model regulation on architectural and city planning councils](#) shall be approved by the central executive authority responsible for shaping state policy on city planning.

2. The review results of the draft city planning documentation by the architectural and city planning council shall be taken into account in the further development and approval of such projects.

3. The specially authorized body for city planning and architecture whereat the architectural and city planning council operates, shall, 20 working days before the review of the city planning documentation at the meeting of the council, inform in writing of the date and place of such a review the state bodies, which are empowered by law to review city planning documentation, and provide access to its sections (under appropriate directions). On the basis of the results of the review, these bodies shall submit their conclusions to the specially authorized city planning and architecture body.

*{Paragraph one of part three, Article 20 as revised by Law [No. 5496-VI of 20.11.2012](#)}*

If no written conclusions are submitted to the draft city planning documentation within 20 days of the receipt of the information on the city planning documents, the project shall be considered as agreed by these bodies.

*{Paragraph two, part three of Article 20 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

Following the agreement of the draft city planning documentation by the bodies referred to in this part of the article, such bodies and their officials shall not participate in any manner in the land tendering, allocation or sale of land plots or land rights, development and agreement of any land surveying documentation and shall not provide any permission documents, except in cases provided for by law.

4. Architectural and city planning councils shall provide advice on planning, development and other use of territory within the historical habitats of inhabited places and architectural and city planning areas, taking into account the decisions of advisory councils for the protection of cultural heritage.

5. Architectural and city planning council shall consider projects for the construction of objects at the request of the customers of such projects.

The results of the council's review of the projects in question shall be purely recommendatory and may not be required at the time of agreement and approval of the construction project.

**Article 21. Public discussion on considering the public interest**

1. Local-level city planning documentation developed in accordance with established procedure shall be subject to public discussion: general schemes for localities, territory zoning plans and detailed territory plans.

2. The approval at the local level of city planning documents referred to in part 1 of this Article shall be prohibited without a public discussion of the draft city planning documentation.

In accordance with [the Law of Ukraine](#) "On Alienation of Land Plots and Other Objects of Immovable Property Located On Them in Private Ownership for the Social Needs and on the Grounds of Social Necessity" no public hearings shall be held on issues of expropriation for public use or on grounds of public need of land plots or other immovable property located on them, owned by any individuals or legal entities.

3. The customers of city planning documentation shall ensure:

1) The promulgation of decisions taken on the development of city planning documentation at the local level, with expected legal, economic and environmental consequences, including those for public health;

2) The promulgation of draft city planning documentation at the local level, the explanatory note, the "Environmental Protection" section or the report on strategic environmental assessment on their official websites, as well as free access to such information by the public;

3) Registration, review and taking into account public proposals for draft city planning documentation at the local level;

4) Public hearings on drafts city planning documentation at the local level;

5) Agreement of disputable matters between the public and customers of city planning documentation at the local level through a conciliation commission;

6) The promulgation of the results of public proposals review concerning draft city planning documentation at the local level.

4. The publication of decisions taken on the development of city planning documentation at the local level and draft city planning documents at the local level shall be deemed the basis for the submission of proposals from the public to the customer of city planning documentation.

5. Proposals from the public shall be submitted within the terms set for the public discussion procedure, which may not be less than 30 days from the date of publication of the draft city planning documentation at the local level.

Any proposals, submitted upon the expiry of the term set, shall not be considered.

6. Public hearings on draft city planning documentation at the local level shall be held within the term set for public discussion, but not earlier than 10 days from the date of publication of the draft city planning documentation at the local level.

7. A conciliation commission may be set up to deal with disputable issues arising in the course of public discussion.

The conciliation commission shall include:

1) officials of the customer of the city planning documentation;

2) representatives of the land resource authority, the environmental protection and sanitary and epidemiological authority, the city planning and architecture authority, the protection of the cultural heritage and other authorities;

3) representatives of trade associations and unions, architects, scientists;

4) authorised representatives of the public elected during public hearings. The number of members from the public shall not be less than 50 per cent and shall not exceed 70 per cent of the total commission membership.

The chairperson of the conciliation commission shall be the official of the customer of the city planning documentation.

The conciliation commission shall, within two weeks of its creation, consider disputable issues recorded in the minutes of the public hearings and shall decide whether to take such proposals (observations) into account or reject them based on certain reasons.

A meeting of a conciliation commission shall be authorised if at least two-thirds of its members (at least half of the members from the public) participated in it.

The decision of the conciliation commission shall be recorded in the minutes.

In case of failure of the conciliation commission to resolve issues between the parties, the final decision shall be taken by the customer of the city planning documentation. Any disputable issues settled by the conciliation commission between the parties or decisions of the customer of the city planning documentation shall be the basis for amending the draft of the relevant documentation.

8. The results of the review of public proposals concerning the draft city planning documentation shall be made public within two weeks of the date of their adoption by means of their publication in the mass media, which are distributed in the corresponding territory, and the publication of such decisions on official websites of customers of the city planning documentation.

Persons promulgating the draft city planning documentation at the local level shall be liable for its authenticity.

9. Events intended for considering public interests shall be financed by customers of the city planning documentation.

10. [The procedure for holding public hearings](#) on drafts of city planning documentation at the local level shall be determined by the Cabinet of Ministers of Ukraine.

*{Article 21 as amended by Law [No. 5456-VI of 16.10.2012](#); as amended by Law [No. 2354-VIII of 20.03.2018](#)}*

## **Article 22.** City planning cadastre

1. City planning cadastre shall be state or communal system for storing and using geospatial data on territory, administrative and territorial units, environmental, engineering and geological conditions, construction activities, information resources of construction regulations and regulations used to meet information needs in the area of territory planning and construction as well as forming the sectoral component of the state geo-information resources. The Unified State Electronic System for the Construction shall be an integral part of the city planning cadastre.

*{Paragraph one, part one of Article 22 as amended by the Laws [No. 199-IX of 17.10.2019](#), [No. 554-IX of 13.04.2020](#) shall be effective from 1 January 2021}*

The city planning cadastre shall be maintained based on the data of the state land cadastre at the state level, the level of the Autonomous Republic of Crimea, the regional and district levels, and the level of regional centres and cities of regional significance (and republican significance — the Autonomous Republic of Crimea).

2. The city planning cadastre shall be maintained by authorized city planning and architectural bodies, which may form city planning cadastre services for that purpose and by other entities defined hereby.

*{Paragraph one, part two, Article 22 as revised by Law [No.5459-VI of 16.10.2012](#); as amended by Law [No.199-IX of 17.10.2019](#)}*

[The model regulation on the city planning cadastre service](#) shall be approved by the Cabinet of Ministers of Ukraine.

The city planning cadastre shall include geospatial data, metadata and services, disclosures, other activities with which and access to which are carried out on the

Internet in accordance with [the Law of Ukraine](#) "On the National Infrastructure of Geospatial Data".

*{Part two of Article 22 has been supplemented with paragraph three under Law [No. 554-IX of 13.04.2020](#) – enacted on 1 January 2021}*

3. The city planning cadastre shall be formed based on the following sources:

1) State geographic information resources;

2) Digital sets of geospatial profiles contained in approved city planning and project documentation and materials of completed construction;

3) Databases of legal entities and individuals whose use is regulated by law.

4. Geospatial profile data shall be entered into the city planning cadastre at the appropriate level no later than 30 working days after the approval of city planning documentation.

5. The data of the city planning cadastre required for the city planning activities, land management, geographic information systems shall be used to meet the information needs of the state authorities, local governments, individuals and legal entities.

6. The information contained in the city planning cadastre shall be open and accessible to the public, except for information related to restricted access.

The protection of the information contained in the city planning cadastre shall be carried out by the relevant subjects of information relations in accordance with the law.

[7. The procedure for the maintenance and structure of the city planning cadastre](#) and the procedure for providing information from the city planning cadastre shall be determined by the Cabinet of Ministers of Ukraine.

8. The works on the creation and maintenance of the city planning cadastre shall be financed through the relevant budgets, international technical and/or revocable or irrevocable financial assistance of international organizations.

*{Article 22 has been supplemented with part eight under Law [No. 199-IX of 17.10.2019](#)}*

**Article 22<sup>-1</sup>.** The Unified State Electronic System for the Construction

*{For the application of Article 22<sup>-1</sup> see [section II, clause 2](#), of Law 199-IX of 17.10.2019}*

1. The Unified State Electronic System for the Construction (hereinafter referred to as the Electronic system) shall mean the unified information and telecommunication system in the city planning cadastre, which provides for the creation, review, dispatch, acceptance, collection, entry, accumulation, processing, use, consideration, storage, protection, record-keeping and provision of information in the field of construction, as well as electronic interaction between individuals and legal entities, state bodies and

local governments, administrative service centres to obtain construction services as defined hereby.

2. The electronic system shall consist of:

1) Register of Construction Activities;

2) Electronic cabinet of the electronic system user (hereinafter referred to as the "E-Cabinet");

) The electronic system portal.

An integral archival part of the Register of Construction Activities shall be the unified register of documents granting the right to perform preparatory and construction works, attesting the acceptance into operation of completed construction projects, information on return for completion, refusal to issue, cancelation and abrogation of the mentioned documents.

The electronic system shall use classifiers, directories, dictionaries and databases maintained by the central executive authority, which ensures the shaping and implementation of state policy on the construction, architecture and city planning, as well as state and sectoral classifiers, directories, dictionaries and databases, maintained by other central executive authorities and local governments.

In order to ensure identification of the location of the construction object, the electronic system shall use the dictionary of streets of localities and streets of the named objects of the State Register of Property Rights to Immovable property in the procedure determined by the Cabinet of Ministers of Ukraine

3. The holder of the electronic system shall be the central executive authority responsible for shaping and implementing the state policy on the construction, architecture and city planning, and which takes organizational measures, related to the operation of the electronic system.

4. The technical administrator of the electronic system (hereinafter referred to as the "technical administrator") shall be a state unitary enterprise, as defined by the Cabinet of Ministers of Ukraine in the Procedure for the administration of the electronic system, which falls within the sphere of administration of the central executive authority implementing state policy in the field of informatization, electronic management, formation and use of national electronic information resources and the development of the information society.

The technical administrator shall take measures for the creation and maintenance of the electronic system software, shall be responsible for the technical and technological support of the electronic system, for the preservation and protection of the information (data) contained in the electronic system, and shall provide and cancel access to the electronic system, and conduct training on the electronic system.

The measures defined in the paragraph two of this part shall be implemented by the technical administrator in accordance with this Law, the Laws of Ukraine ["On](#)

[Protection of Information in Information and Telecommunication Systems](#)" and ["On Protection of personal data"](#), ["On Copyright and Related Rights"](#).

5. The electronic system shall be established and operate according to the following principles:

1) Automation of the creation, acceptance, collection, accumulation, processing, recording and provision of information (data) in the construction field;

2) Availability and serviceability of construction services;

3) Transparency in the provision of administrative construction services;

4) Fulfilment of the obligation to enter information (data) in the electronic system specified in [part one](#) of Article 22<sup>-2</sup> of this Law;

5) Openness and accessibility of information (data) in the electronic system, including accessibility through other state information systems defined by the Cabinet of Ministers of Ukraine;

6) Presumption of the reliability of the information (data) contained in the electronic system;

7) Ensuring by the State, through the holder of the electronic system, of the objectivity, relevance, reliability, completeness and security of the information (data) contained in the electronic system against unauthorized changes;

8) Responsibility of those who submit information (data) to the electronic system for the reliability and completeness of the data entered;

9) Legality of receiving, storing, processing and disseminating information (data) contained in the electronic system;

10) Automatic recording in the electronic system of all actions of any persons with information (data) contained in the electronic system;

11) Distributive storage of data contained in the electronic system to ensure their integrity.

6. The electronic system shall be created using software that ensures compatibility and electronic real-time communication with other electronic information systems and networks, comprising the state information resource, including the State Land Register and the State Register of Rights to the Immovable Property, the Unified State Register of Legal Entities, Individuals Entrepreneurs and Public Associations, the Unified Register on Environmental Impact Assessment, the Unified State Register of Court Judgements, the Unified State Register of Executive Documents, the State Register of Immovable Monuments of Ukraine, the State Register of Compulsory State Social Insurance, integrated by an automated state supervision (control) system. The software of the electronic system should provide the possibility of electronic information interaction in real time with the electronic information systems and networks, which

make up the information resources of local governments, other providers of outcome data, self-regulating organizations.

Electronic communication between the electronic system and electronic information systems and networks (with the exception of the Unified State Register of Court Judgements) shall be carried out as determined by the Cabinet of Ministers of Ukraine in the Procedure for the organization of electronic information interaction between the state electronic information resources.

Electronic communication between the electronic system and the Unified State Register of Court Judgements shall be carried out in accordance with the procedure established by the central executive authority responsible for shaping and implementing state policy on the construction, architecture and city planning, in cooperation with the State Judicial Administration of Ukraine.

7. The electronic system software should provide distributed storage of the metadata of the documents and information entered into the electronic system to confirm their origin, integrity and validity.

The data may be stored in:

The central executive authority responsible for shaping and implementing state policy in the construction, architecture and city planning;

The central executive body authority implementing state policy on the informatization, electronic management, development and use of national electronic information resources and development of the information society;

The state unitary enterprise, which is under the administration of the central executive authority implementing state policy on the informatization, electronic management and development and use of national electronic information resources and development of the information society;

self-regulating organizations in the area of architecture and energy efficiency.

Data may also be stored in other state bodies, local governments and state enterprises, the list of which is determined by the Cabinet of Ministers of Ukraine in accordance with the Procedure for maintenance of the electronic system.

8. The electronic system software shall be the subject to the state ownership. Property rights to the software shall be held by the state through the central executive authority, which ensures the shaping and implementation of state policy on the construction, architecture and city planning.

9. Any information constituting a state secret shall not be entered in the electronic system.

10. The information contained in the electronic system shall be reliable, available and accessible to the public, except for tax card payer registration numbers, passport data, residence data of an individual, service agreements, documents submitted by

individuals and legal entities to obtain the services specified hereby and other information, the list of which is determined by the Cabinet of Ministers of Ukraine in accordance with the Procedure for maintenance of the electronic system.

Access to the project documentation for the construction of objects shall be carried out in a reading mode without the possibility of copying, with the clause specifying that such project documentation is subject to copyright in accordance with [section VI](#) of the Law of Ukraine "On Architectural Activity".

Access to the information contained in the electronic system shall be free of charge through the portal of the electronic system and state information systems defined by the Cabinet of Ministers of Ukraine.

Access to the information contained in the electronic system through the interaction of the application software interface of the electronic system and the information/information and telecommunication systems of the private form of ownership shall be provided on a fee paid basis. The amount of such fee shall be set by the Cabinet of Ministers of Ukraine.

Public information from the electronic system in the form of public data shall be subject to disclosure in accordance with [the Law of Ukraine](#) "On Access to Public Information".

11. If the information and documents to be entered into the electronic system are entered therein, such information and documents shall be considered reliable and can be used in a dispute with a third party.

If the information and documents to be entered in the electronic system are unreliable and have been entered therein, a third party may rely upon it in a dispute as reliable. A third party may not rely upon it in a dispute if they knew or ought have known that such information was unreliable.

If the information and documents to be entered in the electronic system are not entered therein, they may not be relied upon in a dispute with a third person unless the third person knew or ought have known of the information.

12. Information and documents obtained by means of electronic system software in hard copy and electronic forms shall have equal legal effect.

13. If the applicant identifies an error (error in writing, typing or printing, grammar, arithmetical error) in the information of the electronic system made by the entity that entered the data in the electronic system, the applicant shall inform thereof the entity in writing either in hard copy or electronic form. The entity that entered the information into the electronic system shall, on the day of receipt of the notification, verify the conformity of the information contained in the electronic system with the documents that gave rise to the entry of the information, and if the discrepancy is confirmed, he shall correct the error made.

In the event that an error in the electronic system is detected by the entity that entered the information in the electronic system, the entity concerned shall correct the error within one day and inform thereof the applicant in hard copy or electronic form through the e-cabinet (if any) or another state information system integrated with the electronic system of which the applicant and the service providing entity are both users.

Errors made in the information of the electronic system due to errors in that documents, which were the grounds for entering such information, shall be rectified after the rectification of errors in the mentioned documents.

The errors in the data of the electronic system may also be rectified on the ground of a court judgement.

14. The state bodies, including the State Judicial Administration of Ukraine and the courts, local authorities and their officials, state registrars and notaries, shall receive information free of charge from the electronic system for the purpose of exercising their powers, as determined by law, exclusively in electronic form through an electronic system as determined by the Cabinet of Ministers of Ukraine in the procedure for maintenance of the electronic system, either by arranging electronic communication between the state electronic information resources as required by the Cabinet of Ministers in the Procedure for the organization of electronic communication between the state electronic information resources (with the exception of the Unified State Register of Judicial Judgements). Organization of the electronic communication between the electronic system and the Unified State Register of Court Judgements shall be carried out in accordance with the procedure established by the central executive authority responsible for shaping and implementing state policy on the construction, architecture and city planning, in cooperation with the State Judicial Administration of Ukraine.

*{The Law has been supplemented with Article 22<sup>1</sup> under Law [No. 199-IX of 17.10.2019](#)}*

#### **Article 22<sup>2</sup>. Register of Construction Activities**

*{For the application of Article 22<sup>2</sup> see [section II](#), clause 2, of Law 199-IX of 17.10.2019}*

1. The Register of Construction Activities shall be a component of the electronic system that provides for the creation, collection, accumulation, processing, protection, recording of the following information:

1) City planning conditions and restrictions;

2) Tasks for the design and technical conditions (including agreements on the provision of technical conditions entered into in accordance with [the Law of Ukraine "On Electronic Trust Services"](#), if entered into through an e-cabinet)

3) Information on the licensing of economic activity for the construction of objects according to the class of consequences (liability) which belong to the medium (CC2) and high (CC3) consequences;

4) Information on the professional certification of contractor providing individual works (services) related to the construction of architectural objects, energy auditors and surveyors of engineering systems;

5) Information on expert organizations examining project documentation for the construction of objects;

6) Information on construction objects and completed works, including:

Construction permits for the land plot development;

Project documentation for the construction of objects according to the class of consequences (liability) which belong to the medium (CC2) and high (CC3) consequences, approved in accordance with the established procedure;

Information on the assignment, modification, correction and cancellation of the addresses of the construction objects and the completed construction of the objects;

Agreement of justified deviations from construction regulations in accordance with [part five](#), Article 10 of the Law of Ukraine "On Construction Regulations";

The results of the environmental impact assessment in accordance with [the Law of Ukraine](#) "On Environmental Impact Assessment" of Ukraine (with regard to the collection, accumulation, processing, protection and recording of such information);

Energy certificates of construction objects and buildings in accordance with [the Law of Ukraine](#) "On Energy Efficiency of Buildings" (including agreements on energy efficiency certification of a building concluded in accordance with [the Law of Ukraine](#) "On Electronic Trust Services", if concluded via the e-cabinet)

Results of the expertise review of the project documentation for the construction of objects (including agreements on the expertise review of project documentation for the construction of objects concluded in accordance with the [Law of Ukraine](#) "On Electronic Trust Services", if concluded via the e-cabinet)

Documents entitling for the preparatory and construction works;

Identifiers of construction objects and completed construction objects;

Documents certifying the acceptance into operation of the completed construction works;

Inventory records, technical inventory records, technical passports of works under construction and completed construction of objects and parts thereof (apartments, integrated or integrated-attached residential and non-residential premises in a house, building, construction, garage boxes, car space, other residential and non-residential premises, which after being taken over to the operation of the objects are independent

immovable property objects) (including agreements on technical inventories entered into in accordance with the [Law of Ukraine](#) "On Electronic Trust Services", if concluded via the e-cabinet)

Passports of construction objects with the results of the survey and certification of objects in accordance with [Article 39 -2](#) hereof;

Reports on the results of the survey of the building's engineering systems according to the [Law of Ukraine](#) "On Energy Efficiency of Buildings" (including agreements on the survey of the building's engineering systems concluded in accordance with [the Law of Ukraine](#) "On Electronic Trust Services", if concluded via the e-cabinet)

Photographs of construction objects;

The results of the control geodesic surveys of completed construction objects;

Information and documents submitted by individuals, individual entrepreneurs and legal entities in electronic form for obtaining construction services;

7) Information on self-regulating organizations in the sphere of architectural activities and the delegation them the authority to carry out professional certification, and on self-regulating organizations in the field of energy efficiency;

8) Control copies of construction regulations mandatory for the implementation of national codes of established practice and other technical regulations that are mandatory by law;

9) Information on the state architectural and construction supervision;

10) Statistical data.

The electronic system may provide for the creation, collection, accumulation, processing, protection and recording of other information specified by the Cabinet of Ministers of Ukraine in the Procedure for maintenance of the electronic system.

2. The Register of Construction Activities shall provide for the creation of the following electronic documents (other than documents containing information constituting a state secret) and performance of such actions:

1) City planning conditions and restrictions, amendments thereto, refusal to grant them, and revocation of city planning conditions and restrictions;

2) Technical conditions, amendments thereto, refusal to grant them, revocation or cancelation of technical conditions or amendments thereto;

3) The licence to carry out economic activities for the construction of objects which according to the class of consequences (liability) belong to the objects with medium (CC2) and significant (CC3) consequences, amendments thereto (including amendments in the list of activities), refusal to grant it, re-issuance, refusal to re-issue it, revocation of the licence;

4) Qualification certificate of the performer of work, amendments thereto, the decision on the admission/refusal of admission to conduct professional certification, the issue/refusal to issue the qualification certificate and the withdrawal of the qualification certificate; qualification statements for the energy auditor and for the surveyor of engineering systems, amendments thereto, refusal to issue and cancellation of the qualification statement;

5) Construction passport for the development of land plot, amendments thereto and notification of refusal to issue it;

6) Approval of justifiable deviations from the construction regulations and notification of refusal to approve them;

7) Energy certificates for construction objects and buildings in accordance with [the Law of Ukraine "On Energy Efficiency of Buildings"](#);

8) The report on the results of the expertise review of the project documentation for the construction of the objects;

9) Permit to carry out construction works, amendments thereto, notification of refusal to issue it and cancellation of the permit, entry of information on termination of the right to carry out preparatory and construction works;

10) Certificate of acceptance of the completed construction object, notification of refusal to issue it;

11) Inventory records, technical inventory materials, technical passports of works under construction, completed objects and parts thereof (residential and non-residential), and amendments thereto;

12) Passports of construction objects with the results of the survey and certification of objects in accordance with [Article 39<sup>2</sup>](#) hereof;

13) Reports on the results of the survey of building engineering systems according to [the Law of Ukraine "On Energy Efficiency of Buildings"](#);

14) Assignment, modification, correction, cancellation of the address of the construction object and the immovable property object;

15) Registration and deregistration of a self-regulating organization in the field of architecture and energy efficiency;

16) Delegation to and termination of the powers of the self-regulating organization to conduct professional certification of individual work (services) related to the creation of architecture works;

17) Registration of construction regulations;

18) Referral for inspection, certificate of prevention of inspection in the exercise of architectural and construction supervision, documents which are drawn up on the

basis of the results of architectural and construction supervision (certificates, acts, orders, decisions).

Other electronic documents may be created using the electronic system (except for the documents containing information constituting a state secret) and other actions specified by the Cabinet of Ministers of Ukraine in the Procedure for maintenance of the electronic system.

The original of the documents defined in this part shall be an electronic copy of the documents created by the Register of Construction Activities.

The creation of documents and the carrying out of actions defined in this part, using the Register of Construction Activities, shall be carried out by persons authorized to decide on the issuance of the relevant documents and to perform the corresponding actions.

If the documents and actions require coordination with the relevant officials and/or legal entities, such coordination shall be effected electronically via the e- system.

The documents specified in this part shall become effective and the acts shall be deemed performed as soon as they are affixed with the qualified electronic signature of the person who created them, unless otherwise specified by this part.

Documents specified in this part requiring approval of a regulatory document, shall become effective as soon as they are affixed with a qualified electronic signature of the head of the body concerned on the date of the issuance of the relevant regulatory document or a collegial decision.

Documents specified in this part requiring approval of the collegial decision, shall be affixed with the qualified electronic signature of the person authorized by the relevant body on the day of the issuance of the relevant regulatory document or the collegial decision.

Documents/actions specified in this part shall be created/performed by means of entering a relevant record in the Register of Construction Activities with a registration number in this register. Documents/actions which are created/performed without the use of the Register of Construction Activities shall be invalid (except documents containing information constituting a state secret).

Documents containing information constituting a state secret shall be created in hard copy form in compliance with the requirements of [the Law of Ukraine "On State Secret"](#).

The list of information contained in the documents specified in this part (except for city planning conditions and restrictions) and applications for their issuance shall be approved by the Cabinet of Ministers of Ukraine in the Procedure for maintenance of the electronic system.

3. Documents and information on the results of the actions specified in [part two](#) of this Article (other than inventory records and technical inventory materials) shall be made available to the applicant in the procedure specified in [Article 26<sup>1</sup>](#) hereof.

4. Documents created through the Register of Construction Activities shall have the equal legal effect in hard copy and electronic forms.

5. Information on the documents specified in [clauses 3, 9 and 10](#) of part two of this article shall be transferred to the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Associations on the date of the creation of such documents as determined by the Cabinet of Ministers of Ukraine in the Procedure for the organization of electronic information interaction between the state electronic information resource.

6. Customers, licensing authority, licensees, the licensing expert and appeals council, expert organizations that examine the project documentation for the construction of objects, authorized city planning and architectural bodies, state architectural control and supervision bodies, legal entities providing technical conditions, authorized bodies providing conclusions on environmental impact assessment, specialists in energy efficiency auditing of buildings, specialists in the survey of engineering systems, self-regulating organizations in the sphere of architectural activity, providers of certain types of work (services) connected with the creation of architecture objects, standardization subjects in construction, other state bodies, individuals and legal entities who are users of the electronic system, shall be liable under the law for entering false information in the Register of Construction Activities or for exceeding the time limits for entering information/for providing documents in/from the Register of Construction Activities.

*{The Law has been supplemented with Article 22<sup>2</sup> under Law [No. 199-IX of 17.10.2019](#)}*

#### **Article 22<sup>3</sup>. E-cabinet**

*{For the application of Article 22<sup>3</sup> see [section II, clause 2](#) of Law No. 199-IX of 17.10.2019}*

1. The E-cabinet shall be a component of the electronic system, which provides for electronic communication between individuals and legal entities, state bodies, local governments, administrative service centres.

The E-cabinet shall be intended for:

1) Electronic submission and receipt of documents related to:

Licensing of economic activity for the construction of objects according to the class of consequences (liability) which belong to the medium (CC2) and significant (CC3) consequences;

Professional certification of providers of individual works (services) related with the construction of architectural works; professional certification of persons intending

to carry out energy efficiency certification activities and surveying of engineering systems;

Entering of information on expert organizations carrying out examination of project documentation for the construction of objects in the Register of Construction Activities;

Obtaining of a construction passport;

Obtaining of outcome data (city planning conditions and restrictions and technical conditions (including the conclusion of agreements on the provision of technical conditions in accordance with [the Law of Ukraine](#) "On Electronic Trust Services")

Expert examination of project documentation for the construction of objects (including the conclusion of agreements on the expert examination of project documentation for the construction in accordance with [the Law of Ukraine](#) "On Electronic Trust Services")

Environmental impact assessment in accordance with [the Law of Ukraine](#) "On Environmental Impact Assessment";

Obtaining the right to perform preparatory and construction works;

Agreement of justified deviations from construction regulations in accordance with [part five](#), Article 10 of the Law of Ukraine "On Construction Regulations";

Certification of energy efficiency for construction objects and buildings in accordance with [the Law of Ukraine](#) "On Energy Efficiency of Buildings";

Commissioning of the completed construction objects;

Technical inventory of objects of incomplete construction, completed construction objects and parts thereof (residential and non-residential) (including the conclusion of agreements on the technical inventory in accordance with [the Law of Ukraine](#) "On Electronic Trust Services")

Examination and certification of objects pursuant to [Article 39](#) <sup>2</sup> hereof;

Assigning, modification, adjustment or cancellation of the address of the immovable property object;

Examination of engineering systems of a building according to [the Law of Ukraine](#) "On Energy Efficiency of Buildings" (including conclusion of agreements on examination of engineering systems of a building according to [the Law of Ukraine](#) "On Electronic Trust Services")

Registration of a self-regulating organization in the area of architectural activities and delegation of powers to a self-regulating organization in the area of architectural activities for carrying out professional certification of individual works (services) related to the creation of architectural works;

Registration of a self-regulating organization in the area of energy efficiency;

Registration of construction regulations;

2) Verification of completeness and reliability of information contained in applications, notifications, declarations and other documents submitted for the provision of administrative and other services via the electronic system, by means of electronic communication with electronic information systems, which constitute the information resource of the state;

3) Uploading the photographs of construction objects in a specific format and reminding on the need to upload them;

4) Uploading the results of the control surveys of completed construction objects;

5) Review by the applicant of the documents submitted in the real-time mode;

6) Payment for the services specified in clause 1 of this part and fines for offences in the area of city planning using payment systems via the Internet in real time;

7) Informing the providers of certain types of work (services) connected with the creation of architectural works, about their involvement by the customer as the performers of the authorship and technical supervision in accordance with the law, as well as receiving objections to such information from the providers of works (services);

8) Submitting applications to the competent city planning and architectural bodies, the state architectural and construction control and supervision bodies, and receiving notifications and documents from those bodies; including applications and reports on the lifting of the city planning conditions and restrictions, the termination of the right to start preparatory and construction works, the suspension of preparatory and construction works, the cancellation of the registration of the declaration on the readiness of the object for commissioning, revocation and renewal of construction permits, reports on the implementation of control measures, receipt of documents made during or as a result of state architectural and building control/supervision;

9) Correspondence with users of the electronic cabinet (including reports on unauthorised construction), lodging complaints about decisions, actions and omissions of the licensing authority, and expert organizations conducting expert analysis of the project documentation for the construction of objects, and the authorized city planning and architectural bodies, state architectural and construction control and supervision bodies, legal entities providing technical conditions, authorized bodies submitting conclusions on environmental impact assessment, specialists in energy efficiency audits of buildings, specialists in the survey of engineering systems, self-regulating organizations in architecture and energy efficiency, providers of selected works (services) related to the construction of architecture works, other persons designated by the Cabinet of Ministers of Ukraine in the Procedure for maintenance of the electronic system, as well as receipt of information on the status and the outcome of their consideration;

10) Conclusion of electronic agreements on the provision of technical conditions, on the examination of project documentation for the construction of objects, on the

conduct of technical inventories, on the examination of building engineering systems, on the certification of energy efficiency of the building;

11) Notification of technical errors detected in the operation of the e-cabinet.

The e-cabinet may provide other services and operations specified by the Cabinet of Ministers of Ukraine in the Procedure for maintenance of the electronic system.

The lack of relevant information (document) in the electronic information systems, constituting the information resource of the state, due to the fact that at the time of creation (publication) of the relevant information (document) the law was in force, which did not provide for its mandatory registration with the relevant information system, shall not prevent the submission of an application, notification, declaration or other document in electronic form through the e-cabinet or other state information system integrated with the electronic system.

2. The users of the e-cabinet shall be customers, licensing authority, licensees, licensing expert and appeals council, expert organizations that examine the project documentation for the construction of objects, authorized city planning and architectural bodies, state architectural and construction control and supervision bodies, legal entities providing technical conditions, authorized bodies that provide conclusions on environmental impact assessment, specialists in the field of energy efficiency of buildings, specialists in the survey of engineering systems, self-regulating organizations in the sphere of architecture, providers of certain types of work (services) connected with the creation of objects of architecture, subjects of standardization in construction, other state bodies, individuals and legal entities designated by the Cabinet of Ministers of Ukraine in the Procedure for maintenance of the electronic system, and the users who have undergone identification and authentication.

3. Connection and access to the e-cabinet shall be free of charge.

4. Users of the e-cabinet shall obtain access to the e-cabinet after passing the identification and authentication procedure through the state integrated electronic identification system.

For the purposes of this law, the state integrated electronic identification system is understood to be an information and telecommunications system designed to provide technology that is convenient, accessible and secure electronic identification and authentication of system users, compatibility and integration of electronic identification schemes, their interaction with official websites (web portals), information systems of state authorities, local governments, legal entities, individual entrepreneurs, ensuring the protection of information and personal data using uniform requirements, formats, protocols and classifiers, as well as meeting other needs, specified by law.

5. Legal entities and individual entrepreneurs - customers of housing construction units, which according to the class of consequences (liability) belong to the objects with medium (CC2) and significant (CC3) consequences, shall upload the photographs

of these objects to the e-cabinet every quarter not later than the 5th day of the first month of the quarter as determined by the Cabinet of Ministers of Ukraine in the Procedure for maintenance of the electronic system.

*{The Law has been supplemented with Article 22-3 under Law [No. 199-IX of 17.10.2019](#)}*

**Article 22<sup>-4</sup>.** Electronic system portal

*{For the application of Article 22<sup>-4</sup> see [section II](#), clause 2 of Law No. 199-IX of 17.10.2019}*

1. The electronic system portal shall be a component of the electronic system allowing;

1) Users' access to the e-cabinet;

2) Review by the applicant of the documents submitted in the real-time mode;

3) Applicant's access to the results of administrative and other services by means of an electronic system, as determined by the Cabinet of Ministers of Ukraine in the Procedure for maintenance of the electronic system;

4) Free access to all individuals and legal entities in the real-time mode to the Register of Construction Activities, including in relation to each construction object and the completed construction object (except tax card registration numbers, passport data, residence of individuals, agreements on provision of services, documents submitted by individuals and legal entities for obtaining services defined hereby and other information under the list determined by the Cabinet of Ministers of Ukraine in the Procedure for maintenance of the electronic system);

5) Computer-assisted electronic real-time advice on the provision of administrative services in the area of construction and performance of the state architectural and building control measures;

6) Publication and open access of all individuals and legal entities to the construction regulations, binding national codes of practice and other technical regulations, which are mandatory under law, searchable by date of adoption and/or number, title, context, issuing authority, economic activity, type of construction and other search parameters determined by the Cabinet of Ministers of Ukraine in the Procedure for maintenance of the electronic system;

7) Publication and open access of all individuals and legal entities to regulatory acts (other than those with a classification of access restrictions), the observance of which is verified within the performance of control measures;

8) Access of all individuals and legal entities to the public information resources of the city planning cadastre;

9) Notification of technical errors detected in the operation of the electronic system portal.

Access to project documentation for the construction of objects shall be carried out in accordance with [part ten](#) of Article 22<sup>-1</sup> hereof.

The portal of the electronic system may provide access to other information and documents defined by the Cabinet of Ministers of Ukraine in the Procedure for maintenance of the electronic system.

2. The map base of the State Land Cadastre shall be used to display the geospatial information on the electronic system portal.

*{The Law has been supplemented with Article 22<sup>-4</sup> under Law [No. 199-IX of 17.10.2019](#)}*

### **Article 23.** City planning monitoring

1. The city planning monitoring shall mean the observation system, analysis of implementation of city planning documentation, evaluation and forecasting of the status and changes of city planning objects, which are conducted in accordance with the requirements of city planning documentation and are aimed at ensuring sustainable development of the territories taking into account the state and public interests.

*{Part one of Article 23 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

2. The results of the city planning monitoring shall be continuously recorded in the city planning cadastre and compiled in the form of an analytical report, which is taken into account in the elaboration of social and economic development programmes and in the introduction of changes in the city planning documentation.

*{Part two of Article 23 as revised by Law [No. 5496-VI of 20.11.2012](#)}*

3. Aerospace materials, space-oriented ground-based laser scanning data, and executive surveys of completed construction shall be used in the process of the city planning monitoring.

4. [The procedure for the city planning monitoring](#) shall be established by the central executive authority responsible for shaping and implementing state policy on the city planning.

### **Article 24.** Regulatory aspects of the land regulation in the city planning activities

*{Part one, Article 24 has been deleted under Law [No. 5496-VI of 20.11.2012](#)}*

2. A change in the functional purpose of territories shall not entail the termination of the title or use of a land plots which have been transferred (allocated) to the title or use prior to the establishment of a new functional purpose of the territories.

The planning of the land plot shall be carried out within the limits of its intended purpose, established in accordance with the laws.

*{Part two, Article 24 has been supplemented with paragraph two under Law [5496-VI of 20.11.2012](#)}*

3. In the absence of a territory zoning plan or a detailed territory plan approved in accordance with the requirements of this Law, transfer (allocation) of land plots from the state or communal ownership to the title or use of individuals and legal entities for the city planning purposes shall be prohibited, except in the following cases:

1) Location of a building (structure) on the land plot owned by an individual or legal entity;

2) Privatization by a citizen of a land plot allocated for his/her use in accordance with the law;

3) Allocation of a land plot located in the exclusion zone or the zone of unconditional (mandatory) resettlement that has undergone radioactive contamination as a result of the Chernobyl disaster;

4) Allocation of a land plot for linear transport and energy infrastructure (roads, bridges, overpasses, electricity transmission, communication lines);

5) Drilling, arrangement and connection of oil and gas wells outside the settlement areas;

6) Construction, maintenance of military and other defence facilities.

The transfer (allocation) of land plots from the lands of the state or communal property in the cases defined in this part, in the absence of a territory zoning plan or a detailed territory plan, is not permitted if the land plot is:

Located within the green zones of localities and inter-district areas (inter-district greening areas, landscaping elements, sports grounds, recreational and social service areas);

Classified as a land of the nature reserve fund and other nature conservation purposes, historical and cultural purposes, recreational purposes (other than land for countryside construction) and forestry.

*{Part three of Article 24 as revised by Law [No. 2314-VIII of 01 March 2018](#)}*

4. The change of land plot's designated purpose that does not conform to the territory zoning plan and/or the detailed territory plan shall be prohibited.

*{Part four of Article 24 shall enter into force on 1 January 2013 — see [subclause 1, clause 1, Section X “Final Provisions” of this Law](#)}*

5. The authorities responsible for the city planning and architecture and the central executive body responsible for implementing the state policy on the land relations shall ensure transparency, availability and completeness of information on the presence in the territory of the relevant administrative and territorial unit of the state and communal land not provided for use, which can be used for the development, the existence of restrictions and encumbrances over the land plots, the city planning conditions and restrictions in the city planning and state land cadastre.

*{Paragraph one, part five of Article 24 as amended by Law [No. 5459-VI of 5459-VI of 16.10.2012](#)}*

Until the relevant information is entered in the city planning and state land cadastre, the executive body of the village, settlement and city councils, the Kyiv and Sevastopol city state administrations or the relevant local executive authority shall be obliged to provide written information on the availability of land plots upon the request of individuals and legal entities which may be used for construction.

*{Part six, Article 24 has been deleted under Law [No. 5496-VI of 20.11.2012](#)}*

## **Section IV REGULATION OF LAND DEVELOPMENT**

**Article 25.** Development regime of the territories defined for the city planning

1. The development regime of the territories defined for the city planning needs shall be established in the general schemes of localities, territory zoning plans and detailed territory plans.

2. The development regime of the territories defined for the city planning needs shall be obligatorily taken into consideration when elaborating the city planning documentation.

3. The development regime of the territories defined for the city planning purposes outside the localities shall be established by the respective district state administrations and, in the absence of an administrative district — by the Council of Ministers of the Autonomous Republic of Crimea, the region and the Sevastopol city state administrations.

4. Issues on the development of the contiguous territorial communities defined for the city planning shall be coordinated pursuant to the relevant agreements, and shall be reflected in the planning plans of the territories in question and the general schemes of localities.

5. The establishment of the development regime of the territories defined for the city planning purposes shall not entail the termination of the title or use of land plots or the change of administrative and territorial boundaries before the seizure (purchase) of land plots.

**Article 26.** Territories development

1. Territories shall be developed by means of construction objects placement.

2. The entities of city planning shall respect the city planning conditions and restrictions when designing and constructing the objects.

3. The executive body of the village, settlement and city council shall take measures to organize the integrated development of the territory in accordance with the requirements of this Law.

4. The right to develop a land plot shall be exercised by its owner or user, subject to the use of the land plot in accordance with the requirements of the city planning documentation.

5. The design and construction of objects shall be carried out by the owners or users of the land in the following order:

1) obtaining of output data by the customer or the designer;

2) preparation of design documentation and conducting its examination in the cases provided for in [Article 31](#) of this Law;

3) approval of project documentation;

4) performance of preparatory and construction works;

4<sup>1</sup>) conducting of control geodesic surveys of completed construction objects (other than objects according to the class of consequences (liability) referred to objects with minor consequences (C1)) and performance of their technical inventory (in addition to those listed by the central executive authority, which ensures the shaping and implementation of state policy on construction, architecture and city planning);

*{Part five, Article 26 has been supplemented with Clause 4<sup>1</sup> under Law [No. 199-IX of 17.10.2019](#)}*

5) commissioning of the completed construction objects;

6) registration of the title to the city planning object.

**Article 26<sup>1</sup>.** Submission of documents to receive administrative and other construction services as prescribed by this Law and to obtain the results of their review

*{For the application of Article 26<sup>1</sup> see [section II, clause 2, of Law 199-IX of 17.10.2019](#)}*

1. The documents to obtain the administrative and other construction services specified in this Law shall be submitted to the provider of the respective service chosen by the applicant (unless otherwise specified in this Law):

1) Electronically, through an electronic cabinet or other state information system integrated with an e-cabinet, the users of which are the applicant and the entity providing respective service;

2) In hard copy form, either by the applicant himself/herself (including through the administrative service centres) or by mail with an enclosure list.

2. The documents shall be filed to receive, Electronically only through an e-cabinet or other state information system integrated with an e-cabinet, which users are the applicant and the entity providing certain service, such administrative and other services defined by the Law in respect of objects, which class of consequences (liability) belong to medium (CC2) and significant (C3) consequences (in addition to objects covered by [the Law of Ukraine "On State Secrets"](#)):

- 1) Obtaining output data (city planning conditions and limitations and technical conditions);
- 2) Examination of design documentation for the construction of objects;
- 3) Environmental impact assessment in accordance with [the Law of Ukraine](#) "On Environmental Impact Assessment";
- 4) Obtaining the right to perform preparatory and construction works;
- 5) Agreement of justified deviations from construction regulations in accordance with [part five](#), Article 10 of the Law of Ukraine "On Construction Regulations";
- 6) Certification of energy efficiency for construction objects and buildings in accordance with [the Law of Ukraine](#) "On Energy Efficiency of Buildings";
- 7) Commissioning of the completed construction objects;
- 8) Technical inventory of construction works in progress, completed construction objects and parts thereof (residential and non-residential);
- 9) Assignment, modification, correction, cancellation of the address of the immovable property object;
- 10) Survey of building engineering systems according to [the Law of Ukraine](#) "On Energy Efficiency of Buildings";

3. The submission and receipt of documents on the objects subject to [the Law of Ukraine](#) "On State Secrets" shall be carried out in hard copy form in compliance with the requirements of the Law of Ukraine "On State Secrets"

4. The documents submitted to obtain the administrative and other construction services specified by this Law shall meet the following requirements:

- 1) the documents shall be in the state language;
- 2) the text of documents shall be written legibly (typewritten or handwritten in printed letters);
- 3) documents shall not contain erasures or additions, crossed out words or other corrections not stipulated therein, spelling and arithmetic mistakes, as well as damages that do not allow to interpret their content unambiguously;
- 4) documents in electronic form shall be executed in accordance with requirements established by the legislation.

The construction design documentation in electronic form shall be certified by a qualified electronic signature of the customer and the general designer (designer). The qualified electronic signatures of the experts who conducted the examination and the head of the relevant expert organization shall confirm the examination of the design documentation of the construction object.

5. If the documents are submitted in person, the applicant shall present a document establishing his/her identity in accordance with [the Law of Ukraine](#) “On Unified State Demographic Register and Documents Confirming Citizenship of Ukraine, Identity of a Person or their Special Status”. In case the applicant is a foreigner or stateless person, the identity document shall be a national, diplomatic or service passport of the foreigner or another identity document of the person.

If the representative of the owner (co-owners) of the immovable property presents documents, the applicant shall additionally present a document certifying his authority.

A document certifying the authority of the representative issued in accordance with the legislation of a foreign state shall be legalized (consular legalization or apostille) in accordance with the procedure established by law, unless otherwise established by international treaties to which Ukraine is a party and whose consent to be bound is given by the Verkhovna Rada of Ukraine.

A document certifying the authority of the representative in a foreign language shall be translated into the state language with a certification of fidelity of translation from one language to another or a translator’s signature in the manner prescribed by the legislation;

6. The applicant shall be liable for compliance of the copies of documents submitted in electronic form with the originals thereof in hard copy form. Such copies shall be evidenced by the qualified electronic signature of the applicant.

7. Documents submitted in violation of the requirements defined in this part shall constitute grounds for leaving such documents without consideration and for returning them to the applicant, which shall be communicated to the applicant within a period not exceeding for the term for consideration of the relevant documents.

8. Information and documents sent electronically by applicants through an e-cabinet or other state information system integrated with the electronic system for obtaining the services defined by this Law shall be deemed received on the day they are delivered, and if such information and documents are submitted during non-working hours of working days, non-working days, holidays or days off — on the first working day following the day of their submission.

9. The applicant shall access the results of administrative and other services defined by this Law through an electronic system via:

1) the electronic system portal in accordance with the procedure established by the Cabinet of Ministers of Ukraine for the Procedure for maintenance of the electronic system;

2) the e-cabinet (if any);

3) any other state information system, the users of which are the applicant and the entity providing certain service — if the documents are submitted to obtain administrative and other services defined by this Law using such system.

The results of the administrative and other services defined by this Law, using an electronic system, upon request of the applicant, shall be provided in hard copy form.

10. Court judgements entailing changes in the information in the electronic system and the prohibition (cancellation of prohibition) of actions by authorized city planning and architectural bodies and state architectural bodies, construction control and supervision bodies may be sent under the procedure for information interaction between the electronic system and the United State Register of Court Judgements, in the manner determined by the central executive authority responsible for shaping and implementing state policy on construction, architecture and city planning, in cooperation with the state judicial administration of Ukraine. Such information shall be entered into the electronic system by the relevant authority no later than the next working day after the date of receipt of the relevant court judgement.

11. Enforcement documents entailing changes in the information in the electronic system and the prohibition (cancellation of prohibition) of actions by authorized city planning and architectural bodies and state architectural bodies, construction control and supervision bodies may be sent under the procedure for information interaction between the electronic system and the and the automated system of enforcement proceedings in the manner established by the Ministry of Justice together with the central executive authority, which ensures the formation and implementation of state policy in the areas of construction, architecture and city planning.

*{The Law has been supplemented with Article 26<sup>1</sup> under Law [No. 199-IX of 17.10.2019](#)}*

**Article 26<sup>2</sup>.** Identifier of the construction object or completed construction object

*{For the application of Article 26<sup>2</sup> see [section II](#), clause 2, of Law 199-IX of 17.10.2019}*

1. Identifier of the construction object (completed construction object) shall be a unique set of data (sequence of characters) automatically assigned to the construction object or a completed construction object by the software of the Register of Construction Activities and shall be used to identify such an object.

2. Identifier of the construction object (completed construction object) shall be assigned to:

a house, building, structure (including complex);

constituent parts of the house, building and structure: apartments, garages, parking spaces, other residential and non-residential premises which, after commissioning the object, are independent objects of immovable property;

a linear transport infrastructure object.

Identifier of the construction object (completed construction object) shall be not assigned to the public areas and to the auxiliary premises.

3. The structure of the identifier of construction object and the procedure for its determination shall be established by the Cabinet of Ministers of Ukraine in the Procedure for maintenance of the electronic system.

4. Identifier of the construction object (completed construction object) shall be assigned to the object when:

1) Entering of information about the document entitling to carry out construction works into the Register of Construction Activities — for the new construction object and its component parts (apartments, integrated or integrated-attached residential and non-residential premises in a house, building, construction, garage boxes, parking spaces, other residential and non-residential premises, which after commissioning of the object are independent objects of immovable property). The identifier assigned to a constituent part of the object shall include the identifier of the object it is a part of;

2) Entering the information specified in [clauses 1, 2, paragraphs 4 to 9, and 11 to 15 of clause 6](#), part one of Article 22<sup>2</sup> of this Law into the Register of Construction Activities for the first time — for an object in respect of which the right to carry out construction works has been acquired or which has been commissioned prior to the introduction of the electronic system, or for an unauthorised construction object.

If the information is entered by the state architectural and construction body in the Register of Construction Activities, as defined in [clauses 1 or 2](#) of this part, in regards to the part of the linear engineering and transport infrastructure object, the identifier of the construction object (completed construction object) shall be assigned to the linear engineering and transport infrastructure object in general.

5. Once a new construction object is commissioned, the identifier of the construction object shall be deemed the identifier of the completed construction object and shall be used to identify such object throughout its existence.

6. The identifier of the construction object (completed construction object) shall be the same, except in the cases prescribed in this Law.

7. If a completed construction object is divided or accessed, the identifier of the construction object shall be cancelled. A new identifier of the completed construction object shall be assigned to the objects created by their division or accession, which must contain a reference to the identifier (identifiers) of the object (objects) of which such objects originated.

If a share of the completed construction object is spun-off, the identifier of the object of which the share is spun-off shall remain unchanged. The completed construction object created as a result of the spin-off of a share shall be assigned with a new identifier of the completed construction object, which shall contain references to the identifier of the object of which such object originated.

In the cases defined by this part, the new identifier of the completed construction object shall be assigned when performing the technical inventory works of the provider

of a technical passport to the relevant object through the Register of Construction Activities.

8. The identifier of the construction object or of the completed construction object shall be noted in the following documents:

1) City planning conditions and restrictions (for newly constructed objects and objects to which the identifier of the construction object has been assigned prior to the issuance of the city planning conditions and restrictions)

2) Technical conditions (for completed construction objects and new construction objects to which the identifier of the construction object is assigned prior to the issuance of the technical conditions);

3) Document entitling to carry out preparatory and construction works (other than notification of the beginning of preparatory and construction works for the new construction object);

4) Decisions on assignment, modification, correction, cancellation of the address of the construction object and the immovable property object;

5) Approval on justifiable deviations from construction regulations (for completed construction objects and new construction objects to which the identifier of the construction object has been assigned before the approval);

6) Energy certificate of the construction object and building (for completed construction objects and new construction objects to which the identifier of the construction object is assigned prior to the issuance of energy certificate)

7) Report on the results of the examination of engineering systems;

8) Design documentation for the construction object and the results of its expertise (for the objects to which the identifier of the construction object is assigned prior the elaboration of the design documentation);

9) Document certifying that the completed construction object has been commissioned;

10) Inventory, technical inventory and technical passport of the construction object in progress, completed by the construction of the object and its residential (apartments, integrated or integrated-attached residential and non-residential premises in a house, building, construction, garages, other residential and non-residential premises after commissioning the object are independent objects of immovable property);

11) Results of the control geodesic surveys of completed construction objects;

12) Extracts from the State Register of Property Rights to Immovable property (for objects to which the identifier of the construction object has been assigned prior to the state registration of a proprietary right to immovable property);

13) All transactions for the disposal, use, mortgage of the construction object, completed construction object and its parts (apartments, ?integrated or integrated-attached residential and non-residential premises in a house, building, construction, garage boxes, parking spaces, other residential and non-residential premises which are independent immovable property objects after commissioning of the construction object) — for objects to which the identifier of the construction object or the completed construction object is assigned prior to the execution of corresponding transaction.

*{The Law has been supplemented with Article 26<sup>-2</sup> under Law [No. 199-IX of 17.10.2019](#)}*

**Article 26<sup>-3</sup>.** Address of immovable property object

*{For the application of Article 26<sup>-3</sup> see [section II, clause 3](#), of Law No. 199-IX of 17.10.2019}*

1. The address of the immovable property object (hereinafter referred to as the address) shall be a unique structured set of requisites used to identify the object and determine its land location.

2. The procedure for assigning addresses to immovable property objects shall be approved by the Cabinet of Ministers of Ukraine. The procedure may not require individuals or legal entities to obtain permits, approvals or other permissive documents, or the powers of state or local authorities, their officials, enterprises, institutions and organizations formed by such bodies to issue such documents.

3. The address shall be given to construction objects, houses, buildings, constructions, apartments, garage compartments, parking spaces, other residential and non-residential premises which are independent immovable property objects.

No address shall be assigned to:

- 1) Temporary structures;
- 2) Buildings and structures which are accessory to or are an integral part of the building or structure;
- 3) Other immovable property, the list of which is determined by the Cabinet of Ministers of Ukraine in the Procedure for assigning addresses to immovable property object (hereinafter referred to as the Procedure for assigning addresses).

The Procedure for assigning addresses which is defined by this Law shall not apply to land plots.

4. The address details shall be:

- 1) Name of the state (Ukraine);
- 2) Name of the administrative and territorial autonomy within Ukraine — for the objects located in the territory of the Autonomous Republic of Crimea;
- 3) Name of the region (Autonomous Republic of Crimea, Kyiv and Sevastopol);

4) Name of the district— for the localities under district jurisdiction;

5) Name of the locality and, for objects outside it, the name of the nearest locality (amalgamated territorial community) located within the respective district (amalgamated territorial community);

6) Name of the hydrographic, social and economic, nature conservation or another similar object (if any);

7) Name of the street, square, coup, highway, avenue, boulevard, path, alley, descent etc (hereinafter referred to as the "street") (if any).

8) Number of the object (house, building, structure);

9) Number of the bulk — for multi-bulk objects;

10) Number of the apartment, garage box, parking place, other residential and non-residential premise, which is an independent immovable property object (if any).

The list of hydrographic, social and economic, nature conservation and other similar objects which may be used as details for the address in the certain territory shall be approved by the appropriate executive body of the village, settlement, city and district council, local state administration.

The address details of the object referred to in clause 10 of part four of this Article shall be determined by the customer in the design documentation for the construction of the object (on the floor plans). The address details defined in [clause 10](#) of part four of this Article in the individual (homestead) residential house, garden house and cottage house which, in accordance with this Law, are built without design documentation shall be specified in the technical passport for a house, made under the results of the technical inventory.

In case of division or accession of individual parts of the immovable property object (apartments, residential and non-residential premises), the address details of the immovable property object provided for [in clause 10](#) of part four of this Article shall be determined by the customer in accordance with the Procedure for assigning addresses and shall be indicated in the project documentation for the construction of object, documents entitling to perform preparatory and construction works and certifying the acceptance into operation of completed construction objects.

5. The address (other than details specified in [clause 10](#) of part four of this Article) shall be assigned, changed, adjusted and cancelled:

by the executive body of the village, settlement or city council, if the object is located within the territory covered by the powers of the village, settlement or city council;

by the local state administration, if the object is located within the limits of the area not covered by the powers of the village, settlement or city council, and also if the

address assigning body fails to take a decision on assignment, change or adjustment, cancellation of the address in the term set forth by this article.

In cities with district divisions, upon decision of city councils, the powers to assign, change, adjust and cancel addresses may be delegated to the executive bodies of district councils in the city.

Upon decision of the Kyiv City Council, the powers to assign, change, correct and cancel addresses may be delegated to the bodies defined in [part two](#), Article 11 of the Law of Ukraine "On the Capital of Ukraine - City-Hero Kyiv".

6. Executive body of village, settlement, city council and city district council, local state administration or district administration in Kyiv City (hereinafter referred to as the address assigning body) within five working days from the date of receipt of the notification of the need to assign address to the new object of construction, as defined in [part 9](#), Article 36 and [part 3](#), Article 37 of this Law, shall:

1) Take a decision on the assignment of an address, which to contain the identifier of the construction object;

2) Publish a decision on the assignment of an address on its official website (if any);

3) Enter information on the assignment of an address (including a copy of the decision on the assignment of an address) in the Register of Construction Activities.

The address shall be deemed to be assigned from the date on the information about its assignment is entered in the Register of Construction Activities.

7. The information on the assignment of the address shall be communicated to the customer of the construction as specified in [Article 26<sup>1</sup>](#) of this Law on the date the information on the assignment of the address to the immovable property object is entered in the Register of Construction Activities.

8. If, after the assignment of the address any adjustments are made to the project documentation that may affect the designation of the address of the new construction object (change of location of the object, main entrance, change in number of objects, etc.), the customer shall, in its communication of such changes, indicate the need to make adjustment (change, assignment, cancellation) of the address in accordance with [part 6](#), Article 36 and [part 7](#), Article 37 of this Law.

9. The address assigning body shall, within five working days from the date of receipt of the notification, as defined in [part 6](#), Article 36 and [part 7](#), Article 37 of this Law:

1) Take a decision on the adjustment of an address, which to contain information on previously assigned and identifier of the construction object;

2) Publish a decision on the adjustment of an address on its official website (if any);

3) Enter information on the adjustment of an address (including a copy of the decision on the adjustment of an address) in the Register of Construction Activities.

The address shall be deemed to be adjusted, assigned or cancelled from the date on the information about its adjustment is entered in the Register of Construction Activities.

The decision on the adjustment of the address shall be communicated to the applicant as specified in [Article 26<sup>1</sup>](#) of this Law on the date on which the information on the address adjustment is entered in the Register of Construction Activities.

10. Software of the Register of Construction Activities shall, on the day of registration of a declaration on the readiness of the object for commissioning or issuance of a certificate, ensure that a report of acceptance of a completed object is automatically sent to the relevant address assigning body for the construction of the object. The adoption of any additional management documents for the assignment of an address other than those specified in this Article shall not be required.

11. The reasons for the change of address for completed construction object shall be as follows:

1) Changes in the administrative and territorial organization (including changes in the name of region, district and locality)

2) Change of a name of the street, its consolidation and division;

3) Change of a name of a hydrographic, social and economic, nature conservation or another similar object;

4) Accession, division of completed construction objects, spin-off of a share from completed construction object (subject to the requirements of part three, [clause 2](#) of this Article);

5) Numbering of immovable property objects in the cases specified by this Law and in other cases established by the Cabinet of Ministers of Ukraine in the Procedure for assigning addresses.

A decision on the change of a name of an administrative and territorial unit, street or a name of a hydro-graphic, social and economic, nature conservation or another similar object shall be simultaneously deemed a decision on the change of the address.

If, in accordance with the law, a decision is taken to change the boundaries of the administrative and territorial unit, to merge and to divide the street, the address assigning body shall align the numbering (if such alignment is required) within 30 calendar days.

12. The following documents shall be submitted for a change of address on a completed construction object in the event of its accession, division or spin-off of a share (other than an apartment, residential or non-residential premises, etc.):

1) Application of an owner (joint owners) of the completed construction object for a change of address indicating a name, first name, patronymic of the owner (joint owners) and registration number of the taxpayer's card (if any) — for an individual or a name and identification code of a legal entity in the Unified State Register of Individual Entrepreneurs, Legal Entities and Public Associations of Ukraine — for a legal entity, information on the address, identifier of a completed construction object (for objects assigned with identifiers prior to the submission of application), registration number of immovable property object in the State Register of Property Rights to Immovable Property (if right of ownership of the object is registered in the State Register of Property Rights to Immovable Property);

2) A document certifying the right of ownership of the immovable property object prior to its their accession, division or spin-off of a share, in case the right of ownership of the object is not registered in the State Register of Property Rights to Immovable Property;

3) A copy of an agreement on the division of joint property, an agreement on the allocation in kind of a share of joint property or a court judgement if an object is held in joint property;

4) A document certifying the acceptance into operation of a completed construction object (except in cases where an object of immovable property is created by means of division, accession or spin-off without carrying out construction works which under the law require obtaining permission to carry them out) — if the information about the acceptance into operation of the completed construction object is not entered in the Register of Construction Activities;

5) A technical passport for the newly created immovable property object — in case the technical passport is created without the use of the Register of Construction Activities;

6) A copy of the applicant's identity document, if the documents are submitted by post mail;

7) A copy of the document of the representative, if the documents are submitted by the representative by post mail or in electronic form.

Copies of documents submitted to change the address of the immovable property object shall be certified by the applicant (his/her representative).

13. Documents to change the address of an immovable property object shall be submitted as specified in [Article 26-1](#) of this Law.

14. Address assigning body shall, within five working days of receipt of the application to change an address of a completed construction object:

1) Take a decision to change the address/not to change the address, which should contain the identifier of the completed construction object (for objects to which the identifier was assigned prior to the submission of an application)

2) Publish the decision to change address/not to change the address of the immovable property object on its official website (if any);

3) Enter information on the change of address/refusal to change an address (including a copy of the decision to change address/refusal to change an address) in the Register of Construction Activities.

A decision to change an address shall additionally contain the preliminary address of the completed construction object.

The decision not to change the address shall additionally contain a reference to the relevant provision (clause, article) of the law, specifying what precisely was violated in the process of preparation and submission of documents, as well as information about the precise provision of the document submitted by the applicant which does not meet the requirements of the law.

Information on change of an address/ refusal to change an address of the immovable property object shall be communicated to the applicant as specified in [Article 26<sup>1</sup>](#) of this Law, on the date of an change of address/refusal to change an address of the immovable property object in the Register of Construction Activities.

15. The grounds to refuse the change of an address of a completed construction object upon the application on the change of the address submitted by an owner (joint owner) of a completed construction object (his/her representative) shall be:

1) Incomplete set of documents submitted;

2) Incomplete or inaccurate information revealed in the documents submitted, which is confirmed by documents;

3) An application submitted by a person other than the owner (joint owner) of the immovable property object in respect of which an application for a change of address is submitted, or by his/her (their) representative;

4) An application submitted to address assigning body not authorised to decide on the assignment of an address in the territory concerned.

Refusal to change an address of a completed construction object on grounds not provided for in this part shall not be permitted.

Once the grounds for refusal of a change of an address of a completed construction object are eliminated, the applicant may re-submit documents to change the address.

16. The address to unauthorised construction objects to which a right of ownership is recognized by a court [judgement and to those specified by clause 9](#), Section V "Final Provisions" of this Law shall be assigned in accordance with [parts four, five, seven-ten](#) of Article 26<sup>5</sup> of this Law, following the commissioning of such objects.

17. If the address assigning body chooses not to take a decision on the assignment, change or cancellation of the address within the term specified in this Article, the applicant shall have the right to apply to the relevant local state administration with an

application on an assignment, change or cancellation of the address as specified in [Article 26<sup>1</sup>](#) of this Law.

The application on a change of address shall be accompanied by the documents which have been submitted to the address assigning body to change the address (unless such documents have been submitted electronically through an e-cabinet or other state information system integrated with the electronic system).

18. Local state administration shall, within five working days of receipt of the application on assignment, change or adjustment of address:

1) Take a decision on assignment, change, adjustment of address/refusal of assignment, change, adjustment of address, which is to contain the identifier of completed construction object (except for the decision on refusal to assign, change or adjust address for objects not assigned with identifiers prior to the submission of application);

2) Publish the decision on assignment, change, adjustment of address/refusal of assignment, change, adjustment of address on its official website (if any);

3) Ensure entering information on assignment, change, adjustment of address/refusal of assignment, change, adjustment of address (including a copy of the decision on assignment, change, adjustment of address/refusal of assignment, change, adjustment of address) to the Register of Construction Activities.

The decision on assignment, adjustment of address shall additionally contain the former address.

The decision on refusal to assign, change, adjust the address shall additionally contain a reference to the relevant provision (clause, article) of the law, specifying what precisely was violated in the process of preparation and submission of documents, as well as information about the precise provision of the document submitted by the applicant which does not meet the requirements of the law.

Information on assignment, change, adjustment of address/refusal of assignment, change, adjustment of address shall be communicated to the applicant as specified in [Article 26<sup>1</sup>](#) of this Law, on the date of entry of information on assignment, change, adjustment of address/refusal of assignment, change, adjustment of address in the Register of Construction Activities.

On the date of entry of information on assignment, change, adjustment of address/refusal of assignment, change, adjustment of address in the Register of Construction Activities, the electronic system software shall provide that the notification of assignment, change, adjustment of address is automatically sent for information of the address assigning body.

19. Grounds for refusal by the local state administration to take a decision on assignment, change, adjustment of address shall be as follows:

1) Location of the object outside the territory covered by powers of the local state administration;

2) Existence in the Register of Construction Activities of a decision of the address assigning body on the matter;

3) Existence of grounds specified in part fifteen of this article in the event of a change of address of the completed construction object

20. The address assigning body shall be prohibited from requiring any additional documents from the customer for taking a decision on assignment, change, adjustment of address, unless provided for in this Law.

The address assigning body shall receive additional documents and information necessary for taking a decision on assignment, change, adjustment of address pursuant to [part eight](#), Article 9 of the Law of Ukraine "On Administrative Services".

In the exercise of its powers provided for in this Article, the address assigning body shall be entitled to access information resources and databases in accordance in the scope and procedure set out by the Cabinet of Ministers of Ukraine in the Procedure for assigning addresses.

21. The electronic system portal shall enable legal entities and individuals to search for information on the assignment (change) of address (including a copy of such decisions), including:

1) Administrative and territorial unit (Autonomous Republic of Crimea, oblast, raion, city, district, settlement and village)

2) Date or period of the decision;

3) Cadastre number of the land plot on which the object is located;

4) Identifier of the construction object and the completed construction object;

5) Address.

*{The Law has been supplemented with Article 26<sup>-3</sup> under [Law No. 199-IX of 17.10.2019](#)}*

**Article 26<sup>-4</sup>.** Specific aspects of address assignment, adjustment, following the introduction of electronic system, in respect to objects for which the right to carry out construction works is obtained before introduction of such system

*{For the application of Article 26<sup>-4</sup> see section II, [clause 2](#) of Law No. 199-IX of 17.10.2019}*

1. Following the introduction of the electronic system the assignment, change, adjustment, cancellation of address for objects for which the right to carry out construction works was acquired prior to the introduction of the system, shall be exercised as specified in [Article 26<sup>-3</sup>](#) of this Law, taking into account the particularities defined in this Article.

2. The documents to assign, adjust address shall be submitted as prescribed by [Article 26<sup>1</sup>](#) of this Law.

3. The address shall be assigned at the choice of the customer after the obtaining the right to carry out the construction works or after the commissioning of the completed construction object.

4. Individual (manor) residential building, summer houses and garden cottages being built (built) on a land plot, the right of ownership whereof is registered in the State Register of Property Rights to Immovable Property (except for houses that contain two or more flats built in accordance with the law) shall not require a decision to assign an address. The address of such an object shall be deemed a location of the land plot whereon the house is built, according to the data of the State Register of Property Rights to Immovable Property. Upon the request of the customer, an address may be assigned to such an object as specified in this Article.

5. The following documents shall be submitted to have an address assigned:

1) Application on the assignment of an address to a construction object or to a completed construction object, indicating name, first name and patronymic of an applicant and the registration number of the taxpayer's card (if any) — for an individual or the name and identification code of a legal entity in the Unified State Register of Individual Entrepreneurs, Legal Entities and Public Associations of Ukraine — for a legal entity, information on an identifier of a completed construction object (for objects to which an identifier was assigned prior to the submission of the application);

2) Copy of the document certifying the right of ownership or use of the land plot whereon the object is being constructed (constructed) (except in cases established by the Cabinet of Ministers of Ukraine in the Procedure for assigning of addresses) in the event that the right of ownership or use of land plot is not registered in the State Register of Property Rights to Immovable Property;

3) General scheme of the construction object (in the case of construction of an object on the basis of the project documentation) — if an application is submitted to have an address assigned to the construction object;

4) Copy of the document authorising to carry out construction works — if an application is submitted to have an address assigned to the construction object (if information of such document is not entered in the electronic system);

5) Copy of the document certifying the commissioning of the completed construction object — if an application is submitted to have an address assigned to the completed construction object (if information of such document is not entered in the electronic system);

6) A copy of the applicant's identity document, if the documents are submitted by post mail;

7) A copy of the document of the representative, if the documents are submitted by the representative by post mail or in electronic form.

Copies of documents submitted to have an address assigned shall be certified by the customer (his/her representative).

6. If the address is assigned prior to the introduction of electronic system and after it has been assigned, project documentation has been adjusted in a way which may affect the assignment of the address of a new construction object (change of location of the object, main entrance, change of number of objects, etc.), the customer shall apply to the relevant address assigning body with the application to adjust the address of the construction object, which is to be attached with:

1) A general scheme of the construction object (in the case of construction of an object on the basis of the project documentation) — if an application is submitted to have an address adjusted to the construction object;

2) A copy of the applicant's identity document, if the documents are submitted by post mail;

3) A copy of the document certifying the authorities of the representative, if the documents are submitted by the representative by post mail or in electronic form.

Copies of documents submitted to have an address of the construction object adjusted shall be certified by the customer (his/her representative).

7. Address assigning body shall, within five working days of the receipt of the application on the assignment or adjustment of an address:

1) Take a decision to assign or adjust the address/not to assign or adjust the address, which should contain the identifier of the completed construction object (for objects to which the identifier was assigned prior to the submission of an application)

2) Publish the decision on assignment or adjustment/refusal of assignment or adjustment of address on its official website (if any);

3) Enter information on assignment or adjustment of address/refusal of assignment or adjustment of address (including a copy of the decision on assignment or adjustment of address/refusal of assignment or adjustment of address) to the Register of Construction Activities.

The decision to assign/refuse to assign an address shall additionally contain a location of the object under the construction permit document (in case the address is assigned to the construction object) or a document certifying the commissioning of the completed construction object (in case the address is assigned to the completed construction object).

A decision to adjust an address shall additionally contain the preliminary address of the completed construction object.

The decision on refusal to assign or adjust the address shall contain a reference to the relevant provision (clause, article) of the law, specifying what precisely was violated in the process of preparation and submission of documents, as well as information about the precise provision of the document submitted by the applicant which does not meet the requirements of the law.

8. Grounds for refusal to assign or adjust an address shall be:

1) Incomplete set of documents submitted;

2) Incomplete or inaccurate information revealed in the documents submitted, which is confirmed by documents;

3) Application submitted by a person other than the customer or his/her representative — if an application is submitted to have an address assigned or adjusted for the construction object;

4) An application submitted to the address assigning body not authorised to decide on the assignment or adjustment of an address in the territory concerned.

Refusal to assign or adjust the address on any grounds not provided for in this part shall not be permitted.

9. In the event that the address assigning body fails to take a decision to assign or adjust an address within the term specified in this article, the applicant shall have the right to apply to the relevant local state administration with the application to have an address assigned or adjusted.

The relevant documents, as defined in part five or part six of this Article, shall be attached to the application to have an address assigned or adjusted.

10. The ground for refusal by the local state administration to take a decision to assign, change or adjust the address, other than on the grounds specified in part 8 of this Article, shall be the existence of a decision taken by the address assigning body on this matter.

*{The Law has been supplemented with Article 26<sup>4</sup> under Law [No. 199-IX of 17.10.2019](#)}*

**Article 26<sup>5</sup>.** Specific aspects of assignment, change or adjustment of an address prior to the introduction of an electronic system

*{For the application of Article 26<sup>5</sup> see [section II, clause 2 of Law No. 199-IX of 17.10.2019](#)}*

1. Prior to the introduction of an electronic system the address shall be assigned, changed or adjusted as specified in [Article 26<sup>3</sup>](#) of this Law, taking into account the specific aspects defined in this Article.

2. The documents for the assignment, change or adjustment of the address shall be submitted in accordance with part one and [paragraph two](#) of part four of Article 9 of the Law of Ukraine "On Administrative Services".

3. Prior to the introduction of an electronic system the address shall be assigned at the choice of the customer after the obtaining the right to carry out the construction works or after the commissioning of the completed construction object.

The address to unauthorised construction objects to which a right of ownership is recognized by a court judgement and to those specified by [clause 9](#), Section V "Final Provisions" of this Law shall be assigned after the commissioning of such objects.

4. Individual (manor) residential building, summer houses and garden cottages being built (built) on a land plot, the right of ownership whereof is registered in the State Register of Property Rights to Immovable Property (except for houses that contain two or more flats built in accordance with the law) shall not require a decision to assign an address. The address of such an object shall be deemed a location of the land plot whereon the house is built, according to the data of the State Register of Property Rights to Immovable Property. Upon the request of the customer, an address may be assigned to such an object as specified in this Article.

5. The following documents shall be submitted to have an address assigned:

1) Application on the assignment of an address to a construction object or to a completed construction object, indicating name, first name and patronymic of an applicant and the registration number of the taxpayer's card (if any) — for an individual or the name and identification code of a legal entity in the Unified State Register of Individual Entrepreneurs, Legal Entities and Public Associations of Ukraine — for a legal entity);

2) Copy of the document certifying the right of ownership or use of the land plot whereon the object is being constructed (constructed) (except in cases established by the Cabinet of Ministers of Ukraine in the Procedure for assigning of addresses) in the event that the right of ownership or use of land plot is not registered in the State Register of Property Rights to Immovable Property;

3) General scheme of the construction object (in the case of construction of an object on the basis of the project documentation) — if an application is submitted to have an address assigned to the construction object;

4) A copy of the document entitling to carry out the construction works — if an application is submitted to have an address assigned to the construction object (if information about such a document is not entered in the unified register of the documents entitling to carry out preparatory and construction works and certifying the commissioning in of the completed construction objects, information about the return for improvement, refusal of issuance, revocation and cancellation of such documents);

4) A copy of the document certifying the commissioning of the completed construction object — if an application is submitted to have an address assigned to the

completed construction object (if information about such a document is not entered in the unified register of the documents entitling to carry out preparatory and construction works and certifying the commissioning of the completed construction objects, information about the return for improvement, refusal of issuance, revocation and cancellation of such documents);

6) A copy of the applicant's identity document, if the documents are submitted by post mail or in electronic form;

7) A copy of the document of the representative, if the documents are submitted by the representative by post mail or in electronic form.

Copies of documents submitted to have an address assigned shall be certified by the customer (his/her representative).

6. If the project documentation is adjusted after the address has been assigned which may affect the assignment of the address of a new construction object (change of location of the object, main entrance, change of number of objects, etc.), the customer shall apply to the relevant address assigning body with the application to adjust the address of the construction object, which is to be attached with:

1) A general scheme of the construction object (in the case of construction of an object on the basis of the project documentation) — if an application is submitted to have an address adjusted to the construction object;

2) A copy of the applicant's identity document, if the documents are submitted by mail post or electronically;

3) A copy of the document certifying the authorities of the representative, if the documents are submitted by the representative by post mail or in electronic form.

Copies of documents submitted to have an address of the construction object adjusted shall be certified by the customer (his/her representative).

7. Address assigning body shall, within five working days of the receipt of the application on the assignment, change or adjustment of address:

1) Take a decision on assignment, change or adjustment of address/ refusal of assignment, change or adjustment of address;

2) Publish the decision on assignment, change, adjustment/refusal of assignment, change, adjustment of address on its official website (if any);

3) Provide the applicant with a decision on assignment, change or adjustment of address/ refusal of assignment, change or adjustment of address in the manner in which the documents were submitted.

The decision to assign/refuse to assign an address shall contain a location of the object under the construction permit document (in case the address is assigned to the construction object) or a document certifying the commissioning of the completed

construction object (in case the address is assigned to the completed construction object).

A decision to change or adjust an address shall contain the former address of the completed construction object.

The decision on refusal to assign, change or adjust the address shall contain a reference to the specific provision (clause, article) of the law, specifying what precisely was violated in the process of preparation and submission of documents, as well as information about the precise provision of the document submitted by the applicant which does not meet the requirements of the law.

8. Grounds for refusal to assign, change or adjust an address shall be:

1) Incomplete set of documents submitted;

2) Incomplete or inaccurate information revealed in the documents submitted, which is confirmed by documents;

3) Application submitted by a person other than the customer or his/her representative — if an application is submitted to have an address assigned or adjusted for the construction object;

4) An application submitted by a person other than the owner (joint owners) of the immovable property object in respect of which an application is submitted to have an address changed, or by his/her (their) representative — if an application is submitted to assign, change the address of a completed construction object;

5) An application submitted to the address assigning body not authorised to decide on the assignment, change or adjustment of an address in the territory concerned.

Refusal to assign, change or adjust the address on any grounds not provided for in this part shall not be permitted.

9. In the event that an official of the address assigning body fails to take a decision to assign, change or adjust an address within the term specified in this article, the applicant shall have the right to apply to the relevant local state administration with the application to have an address assigned, changed or adjusted.

The application to assign, change or adjust the address shall be accompanied with the relevant documents, which have been submitted to the address assigning body to assign, change or adjust the address.

10. Within five working days of the receipt of the application to assign, change or adjust the address, the local state administration shall act as specified in part seven of this Article, and inform the address assigning body of the taken decision on the assignment of address in hard copy or electronic form.

11. The ground for refusal by the local state administration to take a decision to assign, change or adjust the address, other than on the grounds specified in part 8 of

this Article, shall be the existence of a decision taken by the address assigning body on this matter.

*{The Law has been supplemented with Article 26<sup>5</sup> under Law [No. 199-IX of 17.10.2019](#)}*

**Article 27.** Construction passport for the development of a land plot

1. The homestead, summer and garden land plots may be developed on the basis of the construction passport for the development of a land plot (hereinafter referred to as the construction passport).

The construction passport shall define the set of city planning and architectural requirements for the placement and construction of an individual (homestead) residential house, summer and garden house, not exceeding two floors (not including the attic floor) with an area of up to 500 square meters, economic buildings and facilities, garages, amenities and landscapes.

*{Paragraph two, part one of Article 27 as amended by Law [No. 2628-VIII of 23.11.2018](#)}*

The construction passport shall consist of text and graphic materials.

The construction passport shall be prepared on that basis of a zoning plan, if any.

2. Design actions on the basis of a construction passport shall be carried out without city planning conditions and restrictions obtained. For the objects referred to in the first part of this Article, the construction project shall be developed only at the request of the customer.

3. The construction passport shall be issued by the authorized city planning and architecture body free of charge within 10 working days from the date of the receipt of the relevant application and a set of documents, the list of which is determined by the central executive body responsible for shaping state policy on the city planning.

4. [The procedure for the issuance of a construction passport](#) shall be established by the central executive authority responsible for shaping state policy on the city planning.

*{Part four of Article 27 as amended by Law [No. 199-IX of 17 October 2019](#)}*

**Article 28.** Temporary structures for business activities

*{Title of Article 28 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

*{Part one, Article 28 has been deleted under Law [No. 5496-VI of 20.11.2012](#)}*

2. A temporary structure for commercial, domestic, social and cultural or other business activities shall mean one-storied structure, made of lightweight components, taking into account the basic requirements of the structures, defined by the technical regulation of construction products, buildings and structures, and shall be installed temporarily, without the foundation.

A temporary structure for business activities may have a closed facility for temporary stay of people (a pavilion with a surface area of not more than 30 square metres along the external contour) or may not have such a facility.

3. The small architectural forms shall be located in accordance with [the Law of Ukraine "On Settlement Improvement"](#).

4. Temporary facilities for business activities shall be located in accordance with the [procedure](#) established by the central executive authority responsible for shaping state policy on the city planning.

#### **Article 29.** Reference Data

1. The main components of the reference data shall be:

- 1) City planning conditions and restrictions;
- 2) Technical conditions;
- 3) Design assignment.

2. An individual or legal entity intending to develop a land plot owned or used by such a person shall obtain the city planning conditions and restrictions for the design of the construction object.

The city planning conditions, restrictions and technical conditions for the design of construction objects in the context of a public-private partnership or concession project may be granted to a private partner or a concessionaire on the basis of a document certifying the right to use the land plot, issued to the enterprise, institution or organization, which is the asset holder of the property to be transferred to the concession, provided that such land plot (or part thereof) in accordance with the provisions of the agreement is required to deliver a public-private partnership or concession project.

*{Part two of Article 29 has been supplemented with paragraph 2 under Law [No.155-IX of 3 October 2019](#)}*

*{Part two of Article 29 as amended by Law [No. 199-IX of 17 October 2019](#)}*

3. City planning conditions and restrictions shall be provided by the relevant authorised city planning and architecture bodies on the basis of city planning documents at the local level, free of charge, upon the application of the customer (indicating the cadastral number of the land plot), which is attached with:

*{Paragraph one, part three of Article 29 as amended by Law [No. 199-IX of 17 October 2019](#)}*

1) A copy of the document certifying the right of ownership or use of the land plot, or a copy of the superficies agreement —if the property right to the land plot is not registered in the State Register of Property Rights to Immovable Property;

*{Paragraph two, part three of Article 29 as amended by Law [No. 199-IX of 17 October 2019](#)}*

2) A copy of the document certifying the right of ownership of the immovable property located on the land plot — if the right of ownership of the immovable property object is not registered in the State Register of Property Rights to Immovable Property, or the consent of its owner is certified as prescribed by law (in case of reconstruction or renovation);

*{Paragraph three, part three of Article 29 as amended by Law [No. 199-IX of 17 October 2019](#)}*

3) Copies from topographic and geodesic plan M1: 2000.

In the cases defined in part four, Article 34 of this Law and [part one](#), Article 12<sup>1</sup> of the Law of Ukraine "On the Legal Regime of the Territory Exposed to Radioactive Contamination Caused by the Chernobyl Catastrophe", the cadastral number of the land plot shall be specified in the application if it is available, and a copy of the document certifying the right of ownership or use of the land plot or a copy of the superficies agreement is attached to the application if any.

*{Part three, Article 29 has been supplemented with a new paragraph under Law [No. 711-IX of 17.06.2020](#)}*

The authorized city planning and architecture bodies shall receive information on the property right to a land plot, the right to ownership of an immovable property object located on a land plot, information from the State Land Cadastre in accordance with [part eight](#), Article 9 of the Law of Ukraine "On Administrative Services".

*{Paragraph, part three of Article 29 as amended by Law [No. 199-IX of 17 October 2019](#)}*

In order to obtain city planning conditions and restrictions, the customer shall also attach to the application a city planning calculation, which determines the investment intentions of the customer, which is made available in free form with accessible and concise information on the main characteristics of the construction object.

*{Paragraph, part three of Article 29 is valid until 1 January 2019 — see [paragraph two, clause 1, Section II of Law No. 1817-VIII of 17.01.2017](#)}*

This list of documents to provide the city planning conditions and restrictions shall be exhaustive.

An extract from the city planning cadastre to create city planning conditions and restrictions to the documents of the customer shall be added by the city planning cadastre service (if any).

[A list of construction objects for which the city planning conditions and restrictions are not provided](#) shall be determined by the central executive authority responsible for shaping and implementing state policy on construction, architecture and city planning.

*{Part three, Article 29 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

4. The grounds for refusal to issue city planning conditions and restrictions shall be as follows:

1) Failure to submit the documents specified in part three of this Article required to take a decision to issue city planning conditions and restrictions;

2) Detection of inaccurate information in documents certifying the right of ownership or use of a land plot or the same in documents certifying the right of ownership of an immovable property object located on a land plot;

3) Failure of development intentions to meet the requirements of the city planning documentation at the local level.

Refusal to issue city planning conditions and restrictions, accompanied with justification for such refusal, shall be issued within the term not exceeding a specified term for the issuance thereof.

*{Paragraph five, part four of Article 29 as amended by Law [No. 199-IX of 17 October 2019](#)}*

*{Part four, Article 29 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

5. City planning conditions and restrictions shall include:

1) A name of a construction object, which is to reflect a type of construction and the location of an object;

1<sup>1</sup>) An identifier of a construction object or a completed construction object (for new construction objects and completed construction objects to which the identifier of the construction object is assigned prior to the issuance of the city planning conditions and restrictions)

*{Part five of Article 29 is supplemented by clause 1<sup>1</sup> in accordance with Law [No. 199-IX of 17.10.2019](#) — for application see [clause 7 of Section II](#)}*

2) Information on the customer;

3) Compliance of the designated and functional purpose of the land plot with the city planning documentation at the local level as of the date of the provision of the city planning conditions and restrictions;

4) The maximum permissible height of buildings, structures and constructions in metres (subject to the restrictions on the use of the airfield area established in accordance with [the Air Code of Ukraine](#));

*{Clause 4, part five, Article 29 as amended by Law [No. 199-IX of 17 October 2019](#)}*

5) The maximum permissible percentage for the development of a land plot;

6) The maximum permissible population density within the residential development of the relevant housing unit (a quarter, a micro-district);

7) The minimum permissible distances from the object under design, to the red lines, construction control lines and existing buildings and structures;

8) Planning constraints (protected areas of cultural heritage, boundaries of historical habitats, development regulatory zones, protected landscapes, protection of the archaeological cultural layer within which a special regime of their use is in force, protected areas of natural and reserve objects, coastal protection lines, sanitary protection zones, planning restrictions on the use of the airfield area established in accordance with [the Air Code of Ukraine](#));

*{Clause 8, part five, Article 29 as amended by Law [No. 199-IX of 17 October 2019](#)}*

9) Protection zones for transport, communication, engineering lines, distances from the object under design to existing engineering networks.

The list of the mentioned conditions shall be exhaustive.

*{Part five, Article 29 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

6. The issuance of the city planning conditions and restrictions or the decision to refuse the issuance thereof shall be made by the competent city planning and architecture body within 10 working days following the registration of the application, which is approved by an order of such a body.

*{Part six, Article 29 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

7. Information on the city planning conditions and restrictions issued shall be entered in the register of the city planning conditions and restrictions, which is maintained by the competent city planning and architecture body.

[The procedure for the maintenance of the register of city planning conditions and restrictions](#) shall be determined by the central executive authority, which ensures the formation and implementation of state policy on construction, architecture and city planning.

Users shall have access to the data of the register of city planning conditions and restrictions free of charge through the official website of the authorized city planning and architecture body.

*{Part seven, Article 29 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

8. The city planning conditions and restrictions shall apply until the completion of the construction of the object, irrespective of the change of customer.

Any changes in the city planning conditions and restrictions may be made by the issuing body, upon the request of the customer or by a court judgement.

*{Paragraph two, part eight of Article 29 as amended by Law [No. 199-IX of 17 October 2019](#)}*

The city planning conditions and restrictions shall be abolished:

1) at the request of the customer;

*{Paragraph five, part eight of Article 29 has been deleted under Law No. [No. 199-IX of 17.10.2019](#)}*

3) by court judgement.

If the city planning conditions and restrictions are abolished by a court judgement, the officials of the authorized body responsible for city planning and architecture shall be liable under the law.

*{Paragraph seven, part eight of Article 29 as amended by Law [No. 199-IX of 17 October 2019](#)}*

*{Part eight, Article 29 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

9. The design assignment of the construction objects shall be drawn up and approved by the customer in agreement with the designer.

10. The design assignment shall determine the reasonable requirements of the customer with respect to the planning, architectural, engineering and technological solutions of the construction object, its main parameters, cost and arrangement of its construction, and shall be formulated taking into account technical conditions, city planning conditions and restrictions.

*{Article 29 as revised by Law [No. 5496-VI of 20 November 2012](#)}*

### **Article 30. Technical conditions**

1. Technical conditions shall mean a set of conditions and requirements for the engineering of a construction object, which must meet its design parameters for water supply (taking into account the requirements of fire protection), heat, electricity and gas supply, drainage, outdoor lighting, storm water drainage and telecommunications.

*{Part one of Article 30 as amended by Law [No. 2020-VIII of 13.04.2017](#)}*

2. An individual or a legal entity intending to develop a land plot owned or used by it shall be entitled to obtain technical conditions in accordance with the submitted application.

The technical conditions shall be provided within 10 working days following the date of registration of the relevant application.

*{Paragraph two, Article 30 as amended by Laws [No. 5021-VI of 22.06.2012](#), [No. 320-VIII of 09.04.2015](#)}*

3. The technical conditions must be in conformity with the law, contain reliable information and meet reasonable requirements for the construction objects, as well as meet the applicant's intentions regarding the development of the land plot.

4. The technical conditions shall take into account that the place of connection to the customer's engineering networks to the trunk or other engineering networks are

located on the boundary of the customer's land plot or upon his consent on the territory of such land plot.

*{Part five, Article 30 has been deleted under Law [No.132-IX of 20.09.2019](#)}*

6. The composition, content and procedure for the provision of technical conditions and the procedure for determining the cost of services to be provided shall be determined by the relevant central executive authorities or state collegiate bodies.

*{Part six, Article 30 as amended by Law [No. 1540-VIII of 22.09.2016](#)}*

7. The technical conditions shall remain effective until the completion of the construction of the object, irrespective of the change of the customer or the enterprise, institution or organization that provided such technical conditions. Any changes in the technical conditions may be made only upon the consent of the customer.

*{Paragraph one, part seven of Article 30 as amended by Law [No. 199-IX of 17.10.2019](#)}*

For electric power facilities generating electricity using alternative energy sources, the technical conditions shall be effective as follows:

*{Part seven, Article 30 has been supplemented with paragraph two under Law [No. 2712-VIII of 25.04.2019](#)}*

For objects generating electricity from solar radiation energy — for not more than two years following the date of their issuance, irrespective of the change of customer;

*{Part seven, Article 30 has been supplemented with paragraph three under Law [No. 2712-VIII of 25.04.2019](#)}*

For objects generating electricity from other alternative energy sources — for not more than three years following the date of their issuance, irrespective of the change of customer.

*{Part seven, Article 30 has been supplemented with paragraph four under Law [No. 2712-VIII of 25.04.2019](#)}*

If the customer is an economic entity which acquired the right to receive support based on the auction results, the technical conditions for the electric power facility generating alternative energy sources, issued to such customer, shall be valid for the term of fulfilment of obligations in regards to construction and commissioning of the electric power facilities in accordance with [Article 9<sup>3</sup>](#) of the Law of Ukraine "On Alternative Energy Sources".

*{Part seven, Article 30 has been supplemented with paragraph five under Law [No. 2712-VIII of 25.04.2019](#)}*

*{Part seven, Article 30 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

8. Upon the decision of the customer, the autonomous engineering systems may be provided for as prescribed by law.

*{Part eight, Article 30 as amended by Laws [No. 5496-VI of 20.11.2012](#), [No. 320-VIII of 09.04.2015](#)}*

**Article 31.** Project documentation for construction

1. Project documentation for the construction of objects shall be elaborated in accordance with the [procedure](#) established by the central executive authority in charge of the formation of state policy on the city planning, taking into account the requirements of the city planning documents and reference data, and compliance with the requirements of the law, construction regulations and rules and shall be approved by the customer.

The designing of public-private partnerships or implementation of concession project on the relevant state or communal land may be carried out on the basis of a document, certifying the right to use a land plot issued to an enterprise, an institution, an organization which is the asset holder of the property to be concessioned/is an object of a public-private partnership, provided that such land plot (or part thereof) in accordance with the provisions of the agreement is required to implement a public-private partnership or the concession project.

*{Part one of Article 31 has been supplemented with a new paragraph under Law [No. 156-IX of 03.10.2019](#)}*

Approval of design documentation for the objects which are constructed involving budget funds, funds of state and municipal enterprises, institutions and organisations, as well as loans provided under state guarantees, shall be carried out following the procedure prescribed by the Cabinet of Ministers of Ukraine.

*{Part one, Article 31 has been supplemented with a new paragraph under Law [No. 4220-VI of 22.12.2011](#); as amended by Law [No. 5496-VI of 20.11.2012](#)}*

The results of the environmental impact assessment shall be attached to the design documentation for the construction of objects subject to environmental impact assessment in accordance with [the Law of Ukraine "On Environmental Impact Assessment"](#).

*{Paragraph, part one, Article 31 as amended by Laws [No. 5496-VI of 20.11.2012](#), [No. 2059-VIII of 23.05.2017](#)}*

2. Expertise of construction projects shall be carried out in accordance with the [procedure](#) established by the Cabinet of Ministers of Ukraine by the expert organizations, regardless of the form of ownership, that meet the criteria defined by the central executive authority which ensures the formation and implementation of state policy on construction, architecture, city planning, information on which is entered by such body in the Register of Construction Activities. Experts on sanitary and epidemiological welfare of the population, ecology, labor protection, energy saving, fire, man-made, nuclear and radiation safety, who have passed professional certification, which was carried out with the involvement of representatives of the relevant central executive authorities, and received the appropriate qualification

certificate shall be involved in the expert examination. [The procedure for the professional certification](#) of such experts shall be established by the Cabinet of Ministers of Ukraine.

*{Paragraph one, part two of Article 31 as amended by Law [No. 199-IX of 17.10.2019](#)}*

The central executive authority responsible for the formation and implementation of state policy on construction, architecture and city planning shall publish a list of expert organizations that carry out expert examination of the design documentation for the construction of objects, the information on which is entered in the Register of Construction Activities, on the portal of the electronic system in free access and keeps it up-to-date on the basis of information submitted by expert organizations. If an expert organization is found to be inconsistent with the set criteria, such organization shall be excluded from the Register of Construction Activities.

*{Paragraph two, part two of Article 31 as amended by Law [No. 199-IX of 17.10.2019](#)}*

The expertise of designs of the construction objects which according to the class of consequences (liability) is considered to be a significant consequence (CC3) constructed with budgetary resources, state and communal enterprises, institutions and organizations, as well as loans provided under state guarantees shall be made by expert organizations with the status of a legal entity that meet the [criteria](#) established by the central executive authority, which ensures the formation and implementation of state policy on construction, architecture and city planning, wherein at least 80 per cent of the experts are employed on a full-time basis and have received the relevant qualification certificate in the areas of expertise referred to in paragraph one, part two of this Article and have outlets (representative offices) in the regions where construction projects are being implemented.

*{Part two, Article 13 as amended by Law [No. 4220-VI of 22.12.2011](#); as revised by Law [No. 1981-VIII of 23.03.2017](#)}*

3. Designs for the construction of objects that are classified as objects with minor consequences (CC1) by the class of consequences (liability) shall not be subject to mandatory expert examination, except for the cases provided for in part [four](#) of this Article.

*{Part three, Article 31 as revised by Law [No. 1817-VIII of 17.01.2017](#); as amended by Law [No. 2517-VIII of 04.09.2018](#)}*

4. Mandatory expertise shall be required for the designs of construction objects that:

1) According to the class of consequences (liability) are those with medium (CC2) and significant (CC3) consequences, namely, — in terms of compliance with standards on health and epidemiological well-being, ecology, labour protection, energy saving, fire fighting, technological, nuclear and radiation safety, strength, reliability,

durability, operational safety and engineering support of buildings and structures, including the compliance with the regulations on the creation of a unhindered living environment for people with disabilities and other low-mobility groups;

*{Paragraph two, part four of Article 31 as amended by Laws [No. 4220-VI of 22.12.2011](#), [No. 1817-VIII of 17.01.2017](#)}*

2) are constructed in the territories with complex engineering, geological and technological conditions, — in terms of the strength, reliability and durability of buildings and structures;

*{Paragraph three, part four of Article 31 as amended by Laws [No. 4220-VI of 22.12.2011](#), [No. 5496-VI of 20.11.2012](#)}*

3) are constructed with the involvement of budgetary funds, funds from state and communal enterprises, institutions and organizations, and loans provided under state guarantees if their estimated value exceeds UAH 300,000.00 — in terms of the estimated part of the design documentation;

*{Paragraph four, part four of Article 31 as amended by Laws [No. 4220-VI of 22.12.2011](#), [No. 320-VIII of 09.04.2015](#)}*

4) are subject to an environmental impact assessment in accordance with [the Law of Ukraine "On Environmental Impact Assessment"](#) with regard to taking into account the results of the environmental impact assessment.

*{Part four of Article 31 has been supplemented with a new paragraph under Law [No. 2059-VIII of 23.05.2017](#); as amended by [No. 2517-VIII of 04.09.2018](#)}*

Upon the decision of the customer, designs for the construction of other objects than those provided for in this part or separate sections of the design documentation may also be examined.

*{Paragraph, part four of Article 31 as amended by the Law [No. 5496-VI of 20.11.2012](#)}*

*{Part four of Article 31 enters into force three months following the date of entry into force of this Law — see [subclause 2](#), clause 1 of Section "Final Provisions" of this Law}*

5. Other laws shall not permit the establishment of cases and procedures for the expert examination of construction designs.

*{Part five of Article 31 enters into force three months following the date of entry into force of this Law — see [subclause 2](#), clause 1 of Section "Final Provisions" of this Law}*

6. Design documentation for the construction of objects shall not require the approval of state bodies, local government bodies, their officials or legal entities established by such bodies.

7. If examination of design documentation for the construction of a object is carried out on the basis of an agreement, such an agreement may be concluded electronically through an electronic cabinet in accordance with [the Law of Ukraine "On Electronic Trust Services"](#).

*{Article 31 has been supplemented with part seven under Law [No. 199-IX of 17.10.2019](#)}*

8. Design documentation for the construction of the object and the results of its expertise shall specify:

1) The identifier of the construction object (for new construction objects assigned with the construction object identifier prior to the elaboration of design documentation) or the identifier of the completed construction object (for completed construction objects). In the design documentation for the construction of the object, the identifier of the completed construction object shall be specified for the objects to which the identifier is assigned prior to the elaboration of design documentation;

2) The registration number of city planning conditions and restrictions and technical conditions in the Register of Construction Activities.

*{For the application of clause two, part eight, Article 31 see [clause 8](#) of Section II of Law No. 199-IX of 17.10.2019}*

*{Article 31 has been supplemented with part eight under Law [No. 199-IX of 17.10.2019](#)}*

### **Article 32.** Classes of consequences (liability) of buildings and structures

1. Classes of consequences (liability) of buildings and structures (hereinafter referred to as the class of consequences) shall be a description of the level of potential threat to the health and lives of people who will permanently or periodically be in the building or outside the building, material damage or social losses associated with the failure or loss of integrity of the building.

2. The class of consequence shall be determined in accordance with the requirements of construction regulations and standards approved in accordance with the legislation.

*{Part two of Article 32 as amended by Law [No. 124-IX of 20.09.2019](#)}*

3. The class of consequences shall be defined for each object — a building, structure, construction of any purpose, their parts, linear objects of engineering and transportation infrastructure, including those forming part of the complex (ensemble).

4. The complex (ensemble) may include objects constructed on the basis of a unified design and estimate documentation.

5. All objects shall be divided into the following classes of consequences (liability):

low consequences — CC1;

medium consequences — CC2;

high consequences — CC3.

The low consequences (CC1) may not be assigned to the objects:

the characteristics of the possible consequences of a failure (the state of the object at which it is impossible to use it or its component part for functional purposes) of which exceed:

Potential threat to the health and life of people permanently staying in the object — 50 persons;

Potential threat to the health and life of people periodically staying in the object — 100 persons;

Level of material damage or social loss related to the failure or loss of integrity of the object — 2,500 minimum wages (the counting of losses does not include losses to the customers of construction who build facilities without the involvement of state or local budget funds, loan funds provided under state guarantees, state and communal enterprises, budgetary institutions);

*{Paragraph nine, part five of Article 32 as amended by Law [No. 2581-VIII of 2 October 2018](#)}*

Monuments of cultural heritage of national and local significance defined in accordance with [the Law of Ukraine](#) "On Protection of Cultural Heritage";

New construction of cultural heritage monuments of national and local importance is carried out in the protective zone (the size of the protected zone may not be less than two horizontal or two vertical dimensions of a monument);

Extremely dangerous objects identified pursuant to [the Law of Ukraine](#) "On Extremely Dangerous Objects";

Residential buildings exceeding 4 storeys;

Objects subject to environmental impact assessment in accordance with [the Law of Ukraine](#) "On Environmental Impact Assessment" (except for facilities generating electric energy from wind energy, subject to the approval of the environmental impact assessment authority).

*{Paragraph fourteen, part five of Article 32 as amended by Law [No. 2581-VIII of 2 October 2018](#)}*

Objects with the class of high consequences (CC3) shall include as follows:

Monuments of cultural heritage defined in accordance with [the Law of Ukraine](#) "On Protection of Cultural Heritage";

Extremely dangerous objects identified pursuant to [the Law of Ukraine](#) "On Extremely Dangerous Objects";

Residential, public or multifunctional buildings measured with a height above 100 metres and/or with a level of potential threat to the health and lives of more than 400 people permanently staying in the object.

6. The object shall be assigned to a certain class of consequences (liability) by the design organization in consultation with the customer of construction.

The subject shall be assigned with the highest class of consequences (liability) according to one of the criteria established in part five of this Article.

7. The correctness of the class of consequence (liability) assigned shall be verified in the process of the design examination if such examination is required under the law.

8. When carrying out state architectural and construction control activities at unauthorised construction objects, the class of consequence of such objects shall be determined independently by the relevant state architecture and construction control authorities or with the involvement of an expert organization or an expert who holds the relevant qualification certificate.

*{Article 32 as amended by Law [No. 496-VI of 20.11.2012](#); as amended by Law [No. 1817-VIII of 17.01.2017](#) as amended by Law [No. 2059-VIII of 23.05.2017](#)}*

### **Article 33.** Integrated territory development

1. The integrated development of the territory shall be aimed at the realization of the public interest and shall be intended at pre-engineering, external transport and engineering networks and social facilities; housing units, other construction objects, as well as landscaping. Integrated territory development can be carried out by means of integrated renovation of quarters of obsolete housing estates (micro-districts) by one or more investors.

2. The decision on the arrangement of integrated development of the territory within certain limits and the decision on the placement of construction objects on the territory of settlements and beyond in the process of integrated development of the territory shall be made by the executive body of the village, settlement, city council, district state administration in accordance with their powers as prescribed by this Law.

*{Paragraph one, part two of Article 33 as amended by Law [No. 5459-VI of 16.10.2012](#)}*

The decision to elaborate a detailed plan for a certain territory shall be deemed also a decision on the integrated development of that territory.

3. The executive body of the local council, Kyiv and Sevastopol city state administrations shall perform the functions of the customer of the construction directly or may delegate them on a competitive basis to the general contractor (contractor) as prescribed by law.

*{Paragraph one, part three of Article 33 as amended by Law [No. 5459-VI of 16.10.2012](#)}*

The owner (user) of the relevant land plot within the limits of such land plot, which has been transferred (provided) to him/her in the manner prescribed by law, may act as a customer of a integrated development of a territory.

The functions of a construction customer within the framework of a public-private partnership, including the implementation of projects carried out under the terms of a concession, may be performed by a private partner, concessionaire in accordance with the terms of an agreement concluded within the framework of a public-private partnership, or a concession agreement and an agreement on delegating the functions of a "construction customer".

*{Part three of Article 33 has been supplemented with paragraph 3 under Law [No. 155-IX of 03.10.2019](#)}*

4. The placement of construction objects inside and outside the territories of localities shall be carried out by the executive body of the village, settlement and city councils, the district state administration, in accordance with their powers, by granting city planning conditions and restrictions or by issuing a construction passport in accordance with city planning documents as prescribed by this Law.

*{Part four of Article 33 as amended by Law [No. 5459-VI of 16 October 2012](#)}*

5. The regulation of land relations in integrated territory development shall be carried out in accordance with the land legislation.

#### **Article 34.** Right to carry out construction work

1. The customer shall have the right to perform construction work after:

1) Notification by the customer of the commencement of construction work to the appropriate state architecture and construction control authority for construction objects which, by class of consequence (liability), are objects with low consequences (CC1) and for objects constructed on the basis of a construction passport and not requiring a construction permit in accordance with the list of construction objects approved by the Cabinet of Ministers of Ukraine. The form of notification of the commencement of construction work and the procedure for its submission shall be determined by the Cabinet of Ministers of Ukraine;

*{Paragraph one, part one of Article 34 as amended by Laws [No. 4220-VI of 22.12.2011](#), [No. 459-VI of 16.10.2012](#); as amended by Laws [No. 320-VIII of 09.04.2015](#), [No. 1817-VIII of 17.01.2017](#)}*

*{Clause two, part one of Article 34 has been deleted under Law No. [1817-VIII of 17.01.2017](#)}*

3) issuance to the customer by the state architecture and construction control body of a permit to perform construction works — in relation to objects that, according to the class of consequences (liability), belong to objects with medium (CC2) and high (CC3) consequences or are subject to environmental impact assessment in accordance with [the Law of Ukraine](#) "On Environmental Impact Assessment".

*{Clause 3, part one of Article 34 as amended by Laws [No. 1817-VIII of 17.01.2017](#), [No. 2059-VIII of 23.05.2017](#)}*

2. The construction documents referred to in part one of this Article shall remain valid until completion of the construction.

The list of construction works which do not require documents authorizing their performance and after the expiry of which the object is not to be commissioned shall be approved by the Cabinet of Ministers of Ukraine.

*{Part two of Article 34 has been supplemented with paragraph two under Law [No. 1817-VIII of 17.01.2017](#)}*

*{Part three of Article 34 has been deleted under Law [No. 199-IX of 17.10.2019](#)}*

4. Reconstruction, restoration or capital repair of construction objects without changing the external geometric dimensions of their foundations in the plan, reconstruction or capital repair of highways, railway tracks, power lines, communications, pipelines, other linear communications within the land of their placement, as well as integrated reconstruction of quarters (micro-districts) of obsolete housing stock and new construction of engineering and transport infrastructure objects in accordance with the city planning documentation ordered by state authorities or local self-government bodies on the relevant land of state or municipal ownership may be carried out in the absence of a document certifying the right of ownership or use of the land plot.

The arrangement of means of unimpeded access of persons with disabilities and other low-mobility groups of the population to houses, buildings, structures of any purpose, their complexes and parts, objects of engineering and transport infrastructure may be carried out without documents giving the right to perform construction work, and in the absence of a document certifying the right to own or use a land plot, in compliance with the requirements of legislation, construction regulation and rules. The procedure for establishing means of unimpeded access to objects or their reasonable accommodation shall be established by the Cabinet of Ministers of Ukraine.

*{Part four of Article 34 has been supplemented with paragraph two under Law [No. 473-IX of 16.01.2020](#)}*

*{Part four of Article 34 as amended by Laws [No. 4052-VI of 17.11.2011](#), [No. 5496-VI of 20.11.2012](#); as amended by Law [No. 320-VIII of 09.04.2015](#)}*

5. Control over preparatory and construction works shall be carried out by the state architecture and construction control bodies.

*{Part five, Article 34 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

6. Information on the document giving the right to carry out the construction works, as well as information on the class of consequences (liability) of the object, the identifier of the construction object (completed construction object), the customer and contractors shall be placed on the appropriate booth, which is installed on the

construction site in the most visible place (except for individual (manor) residential houses, garden houses, summer houses, economic (household) buildings and structures, adjacent accommodations to them)

*{Article 34 is supplemented by part six pursuant to Law [No. 4220-VI of 22.12.2011](#); as amended by Laws [No. 1817-VIII of 17.01.2017](#), [No. 99-IX of 17.10.2019](#)}*

7. The performance of construction works without the relevant document provided for in this article shall be considered as unauthorised construction and shall incur liability under the law.

*{Article 34 has been supplemented with part seven under Law [No. 1817-VIII of 17.01.2017](#)}*

**Article 35.** Notice of commencement of preparatory works

*{Name of Article 35 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

1. After acquiring the right to a land plot and in accordance with its intended purpose, the customer may carry out preparatory work defined by construction regulations and rules with notification to the state architecture and construction control body. The form of notice of the commencement of preparatory work, the procedure for its submission and the form of notice of the change in data in the notice submitted shall be determined by the Cabinet of Ministers of Ukraine.

*{Part one, Article 35 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

2. Preparatory works may be carried out on the basis of a notice of the commencement of construction works or a construction permit.

Preparatory work without notice of the start of preparatory work, notification of the commencement of construction works or permit for construction works shall be prohibited.

*{Part two, Article 35 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

3. Notice of the commencement of preparatory work shall not confer a right to undertake construction works.

*{Part three, Article 35 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

4. If any error (typing error, typographical, grammatical, arithmetical) is identified by the customer in the notice of commencement of preparatory work, the customer shall be entitled, within three working days from the date of submission of such notice, to submit a correction (valid) data on information needs to be changed.

*{Part four, Article 25 as amended by Law [No. 5459-VI of 16.10.2012](#); as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

5. In the event that the right to construct the object is transferred to another customer or persons responsible for conducting author's and technical supervision are

changed or other details of the commencement of preparatory work contained in the Register of Construction Activities are altered, the customer shall report such changes to the appropriate state architecture and construction control body within three working days.

*{Paragraph one, part five of Article 35 as amended by Law [No. 199-IX of 17.10.2019](#)}*

Any further preparatory works without such notice shall be prohibited.

*{Part five, Article 25 as amended by Laws [No. 5459-VI of 16.10.2012](#), [No. 320-VIII of 09.04.2015](#); as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

*{Part six of Article 35 has been deleted under Law [No. 1817-VIII of 17.01.2017](#)}*

*{Part seven of Article 35 has been deleted under Law [No.1817-VIII of 17.01.2017](#)}*

*{Part eight of Article 35 has been deleted under Law [No. 1817-VIII of 17.01.2017](#)}*

9. The right to commence preparatory works acquired on the basis of the submitted notice may be terminated by the appropriate state architecture and construction control body in the following cases:

- 1) Submission by the customer of an application for the termination of a right acquired on the basis of a notice of the commencement of preparatory works;
- 2) Obtaining information on the liquidation of a legal entity which is the customer;
- 3) by virtue of the effective court judgement.

*{Part nine of Article 35 as revised by Laws [No. 320-VIII of 09.04.2015](#), [No. 1817-VIII of 17.01.2017](#), [No. 199-IX of 17.10.2019](#)}*

10. The customer shall, in accordance with the law, be liable for the completeness and reliability of the data specified in the notice of commencement of preparatory works and for the performance of preparatory work in violation of the requirements specified in this Article.

*{Part ten of Article 35 as amended by Law [No. 1817-VIII of 17.01.2017](#)}*

11. Notice of the commencement of preparatory works, change of data in the submitted notice, change in the notice of the commencement of preparatory works recorded in the Register of Construction Activities, the termination of the right to commence preparatory works not later than the working day following the date of receipt of the notice in hard copy or the occurrence of the circumstances defined in part nine of this Article shall be entered by the state architecture and construction control body in the Register of Construction Activities with a registration number assigned in this register and shall be published on the portal of the electronic system.

Notice of the commencement of preparatory works, change of data in the submitted notice, change in the data on the commencement of preparatory works contained in the Register of Construction Activities, termination of the right to commence preparatory

works, submitted electronically through an electronic cabinet or other state information system integrated with the electronic system, shall be entered into the Register of Construction Activities automatically in real time with a registration number assigned in this register and shall be published on the portal of the electronic system.

The notice of the commencement of preparatory works and the Register of Construction Activities shall include, in particular, the following information:

cadastral number of the land plot (for land plots, the right of ownership or use of which arose before 2004, as well as land used for construction of facilities by order of national authorities or local authorities in accordance with [part four](#), Article 34 of this Law and [part one](#), Article 12<sup>-1</sup>, of the Law of Ukraine “On the Legal Regime of the Territory Exposed to Radioactive Contamination Caused by the Chornobyl Catastrophe” – if available);

identifier of the construction object (completed construction object) – for objects, which are assigned with the identifier of the construction object (completed construction object) before submitting the notice.

The right to carry out preparatory works shall be deemed terminated from the date on which the right is entered/ recorded in the Register of Construction Activities.

*{Article 35 has been supplemented with part eleven under Law [No. 199-IX of 17.10.2019](#)}*

**Article 36.** Notice of commencement of construction works

*{Name of Article 36 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

1. The right to carry out preparatory works (if those are not carried out earlier according to the notice of the commencement of preparatory works) and construction works in the objects which by class of consequence (liability) belong to objects with low consequences (CC1) constructed on the basis of a construction permit, shall be provided to the customer and to the general contractor or contractor (if construction works are carried out without any subcontractors involved) after submission of the notice of the commencement of construction works.

*{Part one, Article 36 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

2. Any construction works without notice of the commencement of construction works shall be prohibited.

Receipt by the customer of any other permitting documents for the performance of construction works, except notification of the commencement of construction works to the appropriate state architecture and construction control body according to part one of this Article shall not be required.

*{Part two, Article 36 as amended by Law [No. 5459-VI of 16.10.2012](#); as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

The form of notice of the commencement of construction works, the procedure for its submission and the form of notice of the change in data in the notice submitted shall be determined by the Cabinet of Ministers of Ukraine.

*{Part three, Article 36 as amended by Laws [No. 5459-VI of 16.10.2012](#), [No. 320-VIII of 09.04.2015](#); as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

*{Part four of Article 35 has been deleted under Law [No.1817-VIII of 17.01.2017](#)}*

*{Part five of Article 36 has been deleted under Law [No.1817-VIII of 17.01.2017](#)}*

6. If the right to construct the object has been transferred to another customer or if the persons responsible for the copyright and technical supervision have been changed or if other details of the commencement of the construction work contained in the Register of Construction Activities have been altered, as well as in case of any adjustments of the design documentation for carrying out construction works in accordance with the procedure established by law, the customer shall inform the relevant state architectural and construction control body of such changes within three working days.

If an adjustment of the design documentation may affect the assignment of the address of the new construction object (change of location of the object, main entrance, etc.), the notice shall specify the need to adjust (change, assign, cancel) the address.

On the date on which the information defined in this part is entered into the Register of Construction Activities, the electronic system software shall automatically transmit to the address assigning body a notification of the need to change, assign or cancel the address of the object of new construction.

*{Part six of Article 36 as amended by Laws [No. 5459-VI of 16.10.2012](#), [No. 5496-VI of 20.11.2012](#); as amended by Law [No. 1817-VIII of 17.01.2017](#), [No. 199-IX of 17.10.2019](#)}*

7. The right to commence construction works acquired on the basis of the submitted notice may be terminated by the appropriate state architecture and construction control body in the following cases:

- 1) Submission by the customer of an application for the termination of a right acquired on the basis of a notice of the commencement of construction works;
- 2) Obtaining information on the liquidation of a legal entity which is the customer;
- 3) by virtue of the effective court judgement.

*{Part seven of Article 36 as revised by Laws [No. 320-VIII of 09.04.2015](#), [No. 1817-VIII of 17.01.2017](#), [No. 199-IX of 17.10.2019](#)}*

8. The customer shall be liable under the law for the completeness and accuracy of the data stated in the notice of the commencement of construction works submitted by him/her and for carrying out the construction work without notice.

*{Part eight, Article 36 as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

11. Notice of the commencement of construction works, change of data in the submitted notice, change in the notice of the commencement of construction works recorded in the Register of Construction Activities, information of termination of the right to commence construction works not later than the working day following the date of receipt of the notice in hard copy or the occurrence of the circumstances defined in part seven of this Article shall be entered by the state architecture and construction control body in the Register of Construction Activities with a registration number assigned in this register and shall be published on the portal of the electronic system.

Notice of the commencement of construction works, change of data in the submitted notice, change in the data on the commencement of construction works contained in the Register of Construction Activities, information of termination of the right to commence construction works, submitted electronically through an electronic cabinet or other state information system integrated with the electronic system, shall be entered into the Register of Construction Activities automatically with a registration number assigned in this register and shall be published on the portal of the electronic system.

The notice of the commencement of construction works and the Register of Construction Activities shall include, in particular, the following information:

1) cadastral number of the land plot (for land plots, the right of ownership or use of which arose before 2004, as well as land used for construction of facilities by order of national authorities or local authorities in accordance with [part four](#), Article 34 of this Law and [part one](#), Article 12<sup>-1</sup>, of the Law of Ukraine “On the Legal Regime of the Territory Exposed to Radioactive Contamination Caused by the Chernobyl Catastrophe” – if available);

2) The registration number of city planning conditions and restrictions or a construction passport, technical conditions in the Register of Construction Activities;

*{For the application of clause two, part nine, Article 36 see [clause 8](#) of Section II of Law No. 199-IX of 17.10.2019}*

3) The registration number of the report on the examination of the design documentation for the construction of the object (in case of the examination) in the Register of Construction Activities;

4) The registration number of the energy certificate in the Register of Construction Activities (in case of energy certification);

5) The identifier of the construction object (a completed construction object) (in the notification of the commencement of the construction works the identifier is noted for the objects to which the identifier of the construction object (completed construction object) is assigned prior to the submission of the notification).

On the date information on the commencement of the construction works is entered in the Register of Construction Activities, the electronic system software shall automatically transmit to the address assigning body a notification about the need to assign address to the object of new construction.

The right to carry out construction works shall be deemed terminated from the date on which the right is entered/ recorded in the Register of Construction Activities.

*{Article 36 has been supplemented with part nine under Law [No. 199-IX of 17.10.2019](#)}*

**Article 37.** Permit to carry out construction work

1. The right to carry out preparatory works (if those are not carried out earlier according to the notification of the commencement of preparatory works) and construction works on the construction objects which by class of consequences (liability) belong to medium (CC2) and high (CC3) consequences or are subject to an environmental impact assessment in accordance with [the Law of Ukraine "On Environmental Impact Assessment"](#), the connection of the construction object to the engineering networks and structures shall be provided to the customer and the general contractor or contractor (if construction works are carried out without subcontractors involved) after obtaining a permit to carry out construction works.

*{Part one of Article 37 as amended by Law [No. 1817-VIII of 17.01.2017](#) as amended by Law [No. 2059-VIII of 23.05.2017](#)}*

2. Permit to carry out construction works shall be issued by the state architecture and construction control bodies free of charge within 10 working days following the date of registration of the application.

If there is a permit to carry out construction works, the customer and the general contractor or contractor (if construction work is performed without subcontractors involved) shall not require to obtain other permitting documents to carry out construction works and remove green spaces within the construction objects.

3. In order to obtain a permit, an application shall be submitted, accompanied by:

1) A copy of the document certifying the right of ownership or use of the land plot or a copy of the superficies agreement;

2) Copy of the regulatory document for the integrated reconstruction of quarters of obsolete housing estates (micro-districts) in the case of integrated reconstruction of quarters (micro-districts) of obsolete housing estates by order of the state authorities or local self-government bodies on the relevant lands of state or municipal ownership (instead of a copy of the document certifying the right of ownership or use of a land plot);

3) The design documentation for the construction elaborated and approved in accordance with the procedure established by law;

4) A copy of the document certifying the right of ownership of the building or construction, or the consent of its owner (joint owners), certified in accordance with the procedure established by law, to carry out construction works in the event of reconstruction, restoration or major maintenance;

*{Paragraph five, part three of Article 37 as amended by Law [No. 199-IX of 17 October 2019](#)}*

5) Copies of the documents on the appointment of persons responsible for carrying out the construction works and of the persons carrying out the copyright and technical supervision;

5<sup>-1</sup>) Information on the consultant engineer (if any);

*{Part one of Article 37 has been supplemented with a new paragraph under Law [No. 199-IX of 17 October 2019](#)}*

6) Information on the licence giving the right to carry out construction works and qualification certificates;

7) Results of the environmental impact assessment in the cases defined by [the Law of Ukraine](#) "On Environmental Impact Assessment".

*{Part three of Article 37 has been supplemented with a new paragraph under Law [No. 2059-VIII of 23.05.2017](#)}*

A copy of the document certifying the right of ownership or use of the land, a copy of the superficies agreement or a copy of the document certifying the right of ownership of a building or a construction shall not be submitted if the state registration of such right has been carried out in the State Register of Property Rights to Immovable Property. In this case, the document certifying the relevant property right shall be stated in the application for the issuance of the permit to carry out construction works.

*{Part one of Article 37 has been supplemented with a new paragraph under Law [No. 199-IX of 17 October 2019](#)}*

Permit to carry out construction works shall be issued using the Register of Construction Activities. The application for the issuance of the permit to carry out construction works and the Register of Construction Activities shall include, in particular, the following information:

*{Part three of Article 37 has been supplemented with a new paragraph in accordance Law [No. 199-IX of 17.10.2019](#) — for application see [clause 4](#) of Section II}*

1) cadastral number of the land plot (for land plots, the right of ownership or use of which arose before 2004, as well as land used for construction of facilities by order of national authorities or local authorities in accordance with part four, Article 34 of this Law and [part one](#), Article 12<sup>-1</sup>, of the Law of Ukraine "On the Legal Regime of

the Territory Exposed to Radioactive Contamination Caused by the Chornobyl Catastrophe” – if available);

*{Part three of Article 37 has been supplemented with a new paragraph in accordance Law [No. 199-IX of 17.10.2019](#) — for application see [clause 4](#) of Section II}*

2) The registration number of city planning conditions and restrictions and technical conditions in the Register of Construction Activities;

*{Part three of Article 37 has been supplemented with a new paragraph in accordance Law [No. 199-IX of 17.10.2019](#) — for application see [clause 5](#) of Section II}*

3) The registration number of the report on the examination of the design documentation for the construction of the object in the Register of Construction Activities;

*{Part three of Article 37 has been supplemented with a new paragraph in accordance Law [No. 199-IX of 17.10.2019](#) — for application see [clause 4](#) of Section II}*

4) The registration number of the energy certificate in the Register of Construction Activities;

*{Part three of Article 37 has been supplemented with a new paragraph in accordance Law [No. 199-IX of 17.10.2019](#) — for application see [clause 4](#) of Section II}*

5) The identifier of the construction object (a completed construction object) (in the application for the issuance of the permit to carry out construction works the identifier is noted for the objects to which the identifier of the construction object (completed construction object) is assigned prior to the submission of the application).

*{Part three of Article 37 has been supplemented with a new paragraph in accordance Law [No. 199-IX of 17.10.2019](#) — for application see [clause 4](#) of Section II}*

6) Information of the component parts of the object (apartments, integrated or integrated-attached residential and non-residential premises in a house, building, construction, garage boxes, parking places, other residential and non-residential premises, which after commissioning of the object are independent objects of immovable property).

*{Part three of Article 37 has been supplemented with a new paragraph in accordance Law [No. 199-IX of 17.10.2019](#) — for application see [clause 4](#) of Section II}*

On the date the permit to carry out construction works is prepared using the Register of Construction Activities, the electronic system software shall automatically

transmit to the address assigning body a notification about the need to assign address to the object of new construction.

*{Part three of Article 37 has been supplemented with a new paragraph in accordance Law [No. 199-IX of 17.10.2019](#) — for application see [clause 4 of Section II](#)}*

The procedure for issuing and revoking a construction permit shall be determined by the Cabinet of Ministers of Ukraine.

*{Paragraph nineteen, part three of Article 37 as amended by Law [No. 199-IX of 17.10.2019](#)}*

*{Part three of Article 37 as amended by Laws [No. 5459-VI of 16.10.2012](#), [No. 5496-VI of 20.11.2012](#); as amended by Law [No. 320-VIII of 09.04.2015](#)}*

*4. {Paragraph one, part four of Article 37 has been deleted under Law [No. 199-IX of 17.10.2019](#)}*

The grounds for refusal to issue a permit to carry out construction works shall be:

- 1) Failure to provide the documents required to take a decision to issue such a permit;
- 2) incompliance of the submitted documents with the requirements of the law;
- 3) identifying the unreliable data in the submitted documents;
- 4) Results of the environmental impact assessment in the cases defined by [the Law of Ukraine "On Environmental Impact Assessment"](#).

*{Part four of Article 37 has been supplemented with a new paragraph under Law [No. 2059-VIII of 23.05.2017](#)}*

A decision to issue or revoke a permit to carry out construction works may be considered under the supervision of the central executive authority implementing state policy on state architectural and construction control and supervision (without the right to issue a permit) or may be appealed to a court.

*{Paragraph, part four of Article 37 as revised by Law [No. 320-VIII of 09.04.2015](#)}*

5. If, within the term specified in this article, the state architecture and construction control body has not issued a permit to carry out the construction works or has refused to issue it, the customer shall apply to the central executive authority, implementing state policy on state architectural and construction control and supervision, with a view to taking, within 10 working days, measures relating to the issue of the permit or the refusal to grant it. In the event that a permit to carry out the construction works is not issued or denied within the specified term, the right to carry out construction works shall arise on the tenth working day following the date of registration of the written application, sent by registered letter or through an electronic cabinet or other state information system integrated with the electronic system, to the central executive

authority implementing state policy on state architecture and construction control and supervision, and the permit shall be considered issued.

*{Part five of Article 37 as amended by Laws [No. 320-VIII of 09.04.2015](#), [No. 199-IX of 17.10.2019](#)}*

6. A permit to carry out the construction works may be revoked by the state architecture and construction control authority in the following cases:

1) Submission by the customer of an application for the revocation of a permit carry out the construction works;

2) Existence of information on the liquidation of a legal entity which is the customer;

3) On the basis of an effective court decision, on cancellation of city planning conditions and restrictions and/or terminating the right to carry out construction works.

Information on the revocation of a permit to carry out construction works on the grounds defined in [clauses 1](#) and [2](#) of this part shall be automatically entered in the Register of Construction Activities with a registration number assigned in this register and shall be published on the electronic system portal.

*{On the application of paragraph five, part six of Article 37, see [clause 6](#), Section II}*

A permit to carry out construction works shall be deemed revoked from the date on which the information of the revocation of such permit is entered in the Register of Construction Activities.

*{On the application of paragraph six, part six of Article 37, see [clause 6](#), Section II}*

*{Part six of Article 37 as amended by Law [No. 5459-VI of 16.10.2012](#); as amended by Law [No. 320-VIII of 09.04.2015](#); as amended by Laws [No. 1817-VIII of 17.01.2017](#), [No. 199-IX of 17.10.2019](#)}*

7. If the right to construct the object has been transferred to another customer or the general contractor or contractor has been changed (if the construction works are carried out without subcontractor involved), and in the event of an adjustment of the design documentation, the customer shall, within three working days, report such changes to the appropriate state architecture and construction control authority with duly certified copies of the documents, supporting these changes. If an adjustment of the design documentation may affect the assignment of the address of the new construction object (change of location of the object, main entrance, change in number of objects, etc.), the notice shall specify the need to adjust (change, assign, cancel) the address. Any further construction works without such notice shall be prohibited.

*{Paragraph one, part seven of Article 37 as amended by Law [No. 199-IX of 17.10.2019](#)}*

Simultaneously with the notification being sent to the relevant state architecture and construction control authority, which provides for the adjustment (change, assignment, cancellation) of address, the software of the electronic system shall provide an automatic transmission of a notification to the address assigning body specifying on the need to adjust the address of the object of new construction.

*{Part seven of Article 37 has been supplemented with a new paragraph under Law [No. 199-IX of 17.10.2019](#)}*

In the event of a change in the persons responsible for conducting the copyright and technical supervision or responsible for the performance of the works, the customer shall notify the relevant state architecture and construction control authority on such changes with the delivery of duly certified copies of the documents confirming the mentioned changes within three days following the date when they arise.

*{Part seven, Article 37 as amended by Laws [No. 5496-VI of 20.11.2012](#), [No. 5459-VI of 16.10.2012](#), [No. 320-VIII of 09.04.2015](#); as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

*{Part eight of Article 37 has been deleted under Law [No. 320-VIII of 09.04.2015](#)}*

*{Part nine, Article 37 has been deleted under Law [No. 5496-VI of 20.11.2012](#)}*

**Article 37<sup>1</sup>.** Licensing of economic activity for the construction of objects

1. Economic activities for the construction of objects, which by class of consequences (liability) belong to the of objects of medium (CC2) and high (CC3) consequences, shall be subject to licensing according to the list of activities determined by the Cabinet of Ministers of Ukraine in accordance with [the Law of Ukraine "On Licensing of Types of Economic Activity"](#), taking into account the peculiarities defined by this Law.

2. The licensing body shall be the central executive authority that implements the state policy on state architectural and construction control and supervision.

3. The control over compliance with licensing conditions and construction works at construction objects shall be carried out by the licensing body.

*{The Law has been supplemented with Article 37<sup>1</sup> under Law [No. 199-IX of 17.10.2019](#)}*

**Article 38.** Demolition of unauthorized construction objects

*{Title of Article 38 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

1. In the event that unauthorized construction of an object, the alteration of which is not possible for the purpose to remove a material deviation from the design or to eliminate infringements of the legitimate rights and interests of others, material violation of construction regulations, the official of the state architecture and construction control body shall issue to a person that carried (carries) out such construction, an order for the elimination of violations of the requirements of the law

on the city planning, construction regulations and rules with the term specified to execute the order voluntarily.

In the event that a person failed to voluntarily execute the requirements set out in the order within the prescribed term, the state architecture and construction control body shall file an action with the court for the demolition of the unauthorized object and compensation for the costs related to such demolition.

2. By a court judgment, the unauthorized construction object shall be subject to demolition, with compensation for demolition costs, at the expense of the person who carried out (carries out) the unauthorized construction.

*{Paragraph one, part two, Article 38 as amended by Laws [No. 5496-VI of 20.11.2012](#), [No. 320-VIII of 09.04.2015](#)}*

If it is not possible to enforce the court's judgment by the unauthorized constructor (death of the person, declaration him/her dead, declaration him/her missing, liquidation or bankruptcy, etc.), the unauthorized object shall be demolished by a court judgment, at the expense of the successor or by a decision of the local government, at the expense of the local budget and in other cases provided for by law.

*{Paragraph two, part two, Article 38 as amended by Law [No. 5459-VI of 16.10.2012](#); as revised by Law [No. 320-VIII of 09.04.2015](#)}*

The effective court judgement on demolition of an unauthorized object shall be enforced in accordance with [the Law of Ukraine "On Enforcement Proceedings"](#).

*{Part two, Article 38 has been supplemented with paragraph three under Law [5496-VI of 20.11.2012](#)}*

### **Article 39.** Commissioning of the completed construction objects

1. The completed construction objects which according to the class of consequences (liability) are considered to be objects of law consequences (CC1) and objects constructed on the basis of a construction permit shall be commissioned by means of registration by the relevant state architecture and construction control body, free of charge, of a declaration on the readiness of the object for commissioning submitted by the customer within ten working days following the day of registration of the application.

*{Paragraph one, part one of Article 39 as amended under Laws [No. 320-VIII of 09.04.2015](#), [No. 1817-VIII of 17.01.2017](#)}*

If, following the registration of the declaration on the commencement of construction works, a change occurred in the name of the customer and/or general contractor and/or general designer and/or contractor due to a change in the type of joint-stock company or due to a transformation of joint-stock company in another economic company, the declaration on the readiness of the object for commissioning which is submitted for registration, shall specify the new (changed) name of the designated person (if required by declaration form) indicating that the change in name was due to

the change in type of joint-stock company or to the transformation of the joint-stock company into another economic company. Subject to such indication in the declaration on the readiness of the object for commissioning, the state architecture and construction control body shall not return such a declaration on the grounds of the different names of the persons specified in the declaration on the commencement of construction works and in the declaration on the readiness of the object for commissioning.

*{Part one of Article 39 has been supplemented with a new paragraph under Law [No. 1983-VIII of 23.03.2017](#)}*

The Cabinet of Ministers of Ukraine shall determine the form of the [declaration on readiness of the object for commissioning](#) and the procedure for its submission and registration.

2. The completed construction objects which according to the class of consequences (liability) are the medium consequences (CC2) and high consequences (CC3) objects shall be commissioned on the basis of the certificate of readiness issued by the state architecture and construction control bodies in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

*{Paragraph one, part two of Article 39 as amended by Law [No. 1817-VIII of 17.01.2017](#)}*

The customer shall ensure the control geodetic survey of the completed construction object prior to its commissioning. Control geodetic survey shall be carried out by persons legally registered in the State Register of Certified Surveying Engineers or the State Register of Certified Geodetic Engineers. The results of the control geodetic survey shall be reflected in an electronic document. The requirements for the content, structure and technical characteristics of the electronic document shall be determined by the Cabinet of Ministers of Ukraine.

*{Part two of Article 39 has been supplemented with a new paragraph under Law [No. 199-IX of 17.10.2019](#)}*

The person who carried out the surveying shall enter the results in the Register of Construction Activities with a registration number assigned in that system. The results of control geodetic survey and information on the commissioning of completed construction objects shall be transmitted under the procedure of electronic interaction to the State Land Cadastre and shall be reflected on its cartographic basis.

*{Part two of Article 39 has been supplemented with a new paragraph in accordance Law [No. 199-IX of 17.10.2019](#) — for application of the second sentence, see [clause 8](#) of Section II of the Law}*

The procedure of electronic interaction between the State Land Cadastre and the Unified State Electronic System in the area of construction, as well as the list of information exchanged in the context of such interaction, shall be determined by the Cabinet of Ministers of Ukraine in the Procedure of informational interaction between cadastres and information systems.

*{Part two of Article 39 has been supplemented with a new paragraph under Law [No. 199-IX of 17.10.2019](#)}*

If, following the issuance of the permit to carry out construction works, a change occurred in the name of the customer and/or general contractor and/or general designer and/or contractor due to a change in the type of joint-stock company or due to a transformation of joint-stock company in another economic company, the act on the readiness of the object for commissioning and the application for the issuance of a certificate, shall specify the new (changed) name of the designated person (if required by act form and the application of such persons) indicating that the change in name was due to the change in type of joint-stock company or to the transformation of the joint-stock company into another economic company. If there is such indication in the act on the readiness of the object for commissioning and the application for the issuance of a certificate, the state architecture and construction control body shall not refuse to issue a certificate on the basis of different names of the persons indicated in the permit to carry out construction works and in the act on the readiness of the object for commissioning and in the application for the issuance of a certificate.

*{Part two of Article 39 has been supplemented with a new paragraph under Law [No. 1983-VIII of 23.03.2017](#)}*

The form of [act on the readiness of the object for commissioning](#), the procedure for issuing the certificate on commissioning of the completed construction object, the amount and [the procedure for the fee payment for issuance of the certificate](#) shall be determined by the Cabinet of Ministers of Ukraine.

*{Paragraph six, part two of Article 39 as amended by the Law [No. 199-IX of 17.10.2019](#)}*

The act on the readiness of the object for commissioning shall be signed by the customer, the general designer, the general contractor or the contractor (in the case of construction work performed without any subcontractors involved, the subcontractors, the insurer (if the object is insured).

3. The state architecture and construction control body may, if required when considering matters related to the issuance of the certificate, apply to the state authorities in order to obtain the relevant conclusions.

Failure to submit such conclusions to the state architecture and construction control body shall not constitute grounds for extending or refusing the issuance of a certificate.

4. Decision on the registration (return) of a declaration on the readiness of the object for commissioning, submitted in paper form, the issuance (refusal) of a certificate shall be taken by the state architecture and construction control body within 10 working days following the submission of the relevant documents.

The declaration on the readiness of the object for commissioning, which is submitted electronically through an electronic cabinet or other state information system, integrated with the electronic system shall be registered automatically in real-

time mode by the software of the Register of Construction Activities, with the registration number assigned in the register and the information published on the electronic system portal.

The declaration on the readiness of the object for commissioning, the application for the issuance of a certificate of the commissioning of the completed construction object, the certificate of the commissioning of the completed construction object and the Register of Construction Activities shall indicate, in particular, the following information:

1) identifier of the construction object (completed construction object) (it is specified in the declaration/application in regards to which the technical inventory has been performed after the introduction of the electronic system and that have been assigned the identifier of the construction object (completed construction object) prior to the submission of declaration/application);

2) The registration number of the technical passport of the completed construction object in the Register of Construction Activities (in the case of a mandatory technical inventory);

*{For the application of clause 2 of part four of article 39, see [section II, clause 8 of Law No. 199-IX of 17.10.2019](#)}*

3) The registration number of the results of control geodetic survey in the Register of Construction Activities (in the case of the issuance of certificate).

*{Part four of Article 39 as amended by Law [No. 5496-VI of 20.11.2012](#); as amended by Law [No.199-IX of 17.10.2019](#)}*

5. The date of commissioning a completed construction object shall be the date of registration of the declaration of the readiness of the object for commissioning or the date of issue of the certificate.

6. The state architecture and construction control body shall return a declaration on the readiness of the object for commissioning to the customer if the declaration is submitted or issued in violation of the established requirements, with justification of a reason thereto within the term stipulated for its registration.

A decision to register or return a declaration on the readiness of the object for commissioning may be considered under the supervision of the central executive authority implementing state policy on state architecture and construction control and supervision (without the right to register the declaration), or may be appealed to the court.

*{Part six of Article 39 was supplemented with paragraph two in accordance with Law [No. 320-VIII of 09.04.2015](#)}*

The declaration on the readiness of the object for commissioning shall be returned to the customer in the manner in which the documents were submitted (paper or electronic).

*{Part six of Article 39 has been supplemented with paragraph three as amended by Law [No. 199-IX of 17.10.2019](#)}*

The return of a declaration on the readiness of the object for commissioning shall be subject to registration in the Register of Construction Activities.

*{Part six of Article 39 has been supplemented with paragraph four as amended by Law [No. 199-IX of 17.10.2019](#)}*

*{Part six of Article 39 as amended by Law [No. 5459-VI of 16.10.2012](#); as revised by Law [No. 5496-VI of 20.11.2012](#); as amended by Law [No. 320-VIII of 09.04.2015](#)}*

7. The state architecture and construction control body shall refuse to issue a certificate on the following grounds:

*{Paragraph one, part seven of Article 39 as amended by Law [No. 5459-VI of 16.10.2012](#)}*

1) Failure to provide the documents required to take a decision to issue such a certificate;

2) Identifying the unreliable data in the submitted documents;

3) The non-conformity of the object of design documentation for the construction of such an object and/or the requirements of construction regulations and rules, including accessibility for persons with disabilities and other low-mobility groups;

*{Paragraph four, part seven of Article 39 as amended by Laws [No. 1817-VIII of 17.01.2017](#), [No. 473-IX of 16.01.2020](#)}*

4) Failure to comply with the requirements set out in [the Law of Ukraine "On Commercial Metering of Heat Energy and Water Supply"](#) for equipping the building with units for metering the corresponding public services.

*{Part seven of Article 39 has been supplemented with a new paragraph under Law [No. 2119-VIII of 22.06.2017](#)}*

Refusal to issue a certificate shall be given to the customer within the term provided for its issuance.

*{Paragraph of part seven, Article 39 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

A decision to refuse the issuance of certificate may be considered under the supervision of the central executive authority implementing state policy on state architectural and construction control and supervision (without the right to issue a certificate) or may be appealed to a court.

*{Part seven of Article 39 was supplemented with the paragraph in accordance with Law [No. 320-VIII of 09.04.2015](#)}*

8. The operation of completed construction objects which have not been commissioned (if such commissioning is provided for by the law) shall be prohibited.

*{Part eight of Article 39 as amended by Law [No. 5496-VI of 20.11.2012](#)}*

9. A registered declaration on the readiness of the object for commissioning or a certificate shall be the basis for the conclusion of supply agreements of the resources necessary for an commissioned object for its operation — water, gas, heat, electricity and the inclusion of data on such objects in the state statistical records and the registration of the right of ownership.

The connection of the commissioned completed construction object to the engineering networks shall be carried out within 10 days following the day of the respective request of the customer to persons, which own or operate the relevant engineering infrastructure.

State statistical reporting on the commissioning of completed construction objects shall be submitted by the state architecture and construction control bodies in the form and within the terms specified in the statistical and accounting documents, approved by the central executive authority implementing the state policy on statistics.

*{Part nine of Article 39 has been supplemented with paragraph three under Law [No. 2020-VIII of 13.04.2017](#)}*

10. The customer shall be liable under the law for the completeness and reliability of the data specified in his declaration on the readiness of the object for commissioning and for the operation of the object without a registered declaration or certificate.

*{Part eleven of Article 39 has been deleted under Law [No. 320-VIII of 09.04.2015](#)}*

12. The customer shall be obliged to transfer the completed construction and connected to the engineering networks residential house, which was built with the use of funds of individuals and legal entities to the association of joint owners or the owner, or operating organization within one hundred and twenty calendar days from the date of its commissioning.

*{Article 39 has been supplemented with part twelve under Law [No. 5059-VI of 05.07.2012](#); as amended by Law [No. 5496-VI of 20.11.2012](#)}*

**Article 39<sup>1</sup>.** Amendments of a notification or declaration of the readiness of the object for commissioning, cancellation of the registration of a declaration of the readiness of the object for commissioning, or termination of the right to commence preparatory or construction works acquired due the submitted notification

*{Name of Article 39<sup>1</sup> as revised by Laws [No. 1817-VIII of 17.01.2017](#), [No. 199-IX of 17.10.2019](#)}*

1. If the customer independently discovers a technical error in the notification on the commencement of preparatory or construction works, the registered declaration of the readiness of the object for commissioning, as well as if the relevant state

architecture and construction control body finds inaccurate data in the sent notification or registered declaration, which is not a ground for considering an object to be an unauthorized construction in accordance with the law, the notification or declaration shall be amended in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

The customer shall be obliged to provide, within three working days, reliable data concerning the information that needs to be amended, for the state architecture and construction control body to further enter the relevant information in the register, as well as the notification or declaration.

*{Part one of Article 39<sup>1</sup> as amended by Law [No. 1817-VIII of 17.01.2017](#)}*

2. In the event that the relevant state architecture and construction control body finds any incorrect data in the submitted notification or the registered declaration, which provide the basis to consider the object to be unauthorized construction, in particular, if it is was constructed or constructed on land that is not designated for that purpose or without an appropriate document entitling to carry out construction works or without a duly approved design or construction passport, as well as in the event of the entry into force of a judicial judgement on the cancellation of city planning conditions and restrictions, the relevant state architecture and construction control and supervision body shall apply to the court for the cancellation of the registration of such declaration or for the termination of the right to carry out preparatory or construction works acquired due to the notification submitted.

Information on the entry into force of a court judgement on the cancellation of the registration of a declaration on the readiness of the object for commissioning or the right to commence preparatory or construction works, acquired due to the notification submitted, shall be entered in the Register of Construction Activities.

*{Part two of Article 39<sup>1</sup> as revised by Laws [No. 1817-VIII of 17.01.2017](#), [No. 199-IX of 17.10.2019](#)}*

3. The customer of the construction, upon termination of the right to commence preparatory or construction works, which is acquired due to the submitted notification or cancellation of the registration of the declaration on the readiness of the object for commissioning, may resend the notification or submit the declaration in accordance with the requirements established by law.

*{Part three of Article 39<sup>1</sup> as revised by Laws [No. 1817-VIII of 17.01.2017](#), [No. 199-IX of 17.10.2019](#)}*

4. The customer that independently found the technical error and submitted the relevant application, shall not be subject to the penalties for the notification or declaration previously submitted with errors or the incorrect data found therein.

*{The Law has been supplemented with Article 39<sup>1</sup> under Law [No. 5496-VI of 20.11.2012](#)}*

**Article 39<sup>2</sup>.** Inspection, examination and certification of objects

1. The owners or managers of the construction objects shall ensure the routine inspection and periodic examination of the commissioned objects in accordance with the procedure established by law for the duration of their existence and shall be liable for their operation in accordance with the law.

2. The construction object shall be inspected with a view to assessing its conformity with the basic requirements for buildings and structures laid down in the technical regulations and taking reasonable measures to ensure its safety and security.

The Cabinet of Ministers of Ukraine shall determine [the procedure for conducting the inspection](#).

The results of the inspection shall be recorded in the passport of construction object, which is produced using the Register of Construction Activities.

*{Paragraph three, part two of Article 39<sup>2</sup> as amended by Law [No. 199-IX of 17.10.2019](#)}*

In cases stipulated in law, energy efficiency certification shall be carried out when an object is inspected.

*{Part two of Article 39<sup>2</sup> has been supplemented with the paragraph four under Law [No. 2118-VIII of 22.06.2017](#)}*

3. The objects which by class of consequences (liability) classified as objects of medium and high class of consequences, as well as apartment buildings, regardless of the class of consequences (liability) shall be subject to compulsory inspection.

*{Paragraph one, part three of Article 39<sup>2</sup> as amended by Law [No. 1817-VIII of 17.01.2017](#)}*

Other objects not covered by this part may also be inspected upon the decision of owners or managers.

4. Between inspections, owners or managers, on their own or with the involvement of other economic entities, shall ensure the review of objects and take measures to ensure their safety and security.

5. Control over compliance with the procedure for conducting inspection of objects and the implementation of measures to ensure safety and security during their operation shall be carried out by the state architecture and construction control bodies in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

*{Part five of Article 39<sup>2</sup> as amended by Law [No. 1817-VIII of 17.01.2017](#)}*

6. Failure to inspect and certify an object subject to compulsory inspection, non-compliance to the procedure to carry out such an inspection and failure to ensure safety and security in operation shall entail liability, as provided by law.

*{Part six of Article 39<sup>2</sup> enters into force on 05.07.2014 — see [clause 1](#), Section II of Law No. 5496-VI of 20.11.2012}*

*{The Law has been supplemented with Article 39<sup>2</sup> under Law [No. 5496-VI of 20.11.2012](#)}*

**Article 39<sup>3</sup>.** Technical inventory of immovable property object

1. Technical inventory of an immovable property object shall mean a set of works for the purpose of determining the actual composition, area, volume, technical condition and/or determining changes in the mentioned characteristics over a certain period of time and the production of the relevant documents (materials of technical inventory, technical passport) using the Register of Construction Activities.

2. The technical inventory of an immovable property object shall be carried out by an individual entrepreneur or a legal entity, which includes one or more responsible persons engaged in certain types of work (services) connected with the construction of architecture works, who have undergone professional certification and have received a qualification certificate on the right to carry out technical inventory of immovable property in accordance with [the Law of Ukraine "On Architectural Activity"](#):

1) Prior to the commissioning of completed construction objects (including after reconstruction, restoration or major repair of the construction object in respect of which the right to carry out construction works has been acquired);

2) Prior to the state registration of the ownership of the incomplete construction object to which the right to carry out construction works has been acquired;

3) Prior to the state registration of ownership of immovable property object resulting from the division, accession of immovable property or spin-off of a share from an immovable property, except in cases when, as a result of such division, accession or spin-off of a share by means of reconstruction, the completed construction object was commissioned;

4) Prior to the commissioning of the completed construction object defined in [clause 9](#), Section "Final Provisions" of this Law;

5) on the basis of court judgement;

6) in other cases at the request of the customer.

3. Technical inventory of immovable property object in the cases defined in [clauses 1 to 4](#) and [6](#) of part two of this Article shall be made on the basis of an agreement concluded between a person defined in paragraph 1, part two of this article, and the customer/owner of the immovable property or a person authorized by him/her. In the event of a technical inventory of the state or communal immovable property object, the agreement shall be concluded with the enterprise, institution or organization duly authorized to administer the immovable property object.

The duration of the works and the amount and payment procedure for the technical inventory shall be determined by agreement between the parties.

The agreement on the technical inventory may be concluded electronically through an electronic cabinet in accordance with [the Law of Ukraine](#) "On Electronic Trust Services".

*{For application of paragraph three, part three of Article 39<sup>–3</sup> see [clause 5](#) of Section II}*

4. On the basis of the results of the technical inventory, the property inventory files, the materials of technical inventory and technical passports shall be prepared using the Register of Construction Activities.

*{For application of part four of Article 39<sup>–3</sup> see [clause 5](#) of Section II}*

5. The procedure for carrying out a technical inventory of immovable property, the list of immovable property subject to a technical inventory, the composition and content of the inventory files, the materials of the technical inventory and technical passports shall be determined by the Cabinet of Ministers of Ukraine in the Procedure for the maintenance of technical inventory.

*{The Law has been supplemented with Article 39<sup>–3</sup> under Law [No. 199-IX of 17.10.2019](#)}*

*{Article 40 has been deleted under Law [No. 132-IX of 20.09.2019](#)}*

#### **Article 41. State architectural and construction control**

1. State architectural and construction control shall mean a set of measures aimed at ensuring compliance by customers, designers, contractors and expert organizations with the requirements of city planning legislation, construction regulations and rules for preparatory and construction works.

State architectural and construction control shall be exercised by the state architectural and construction control bodies in accordance with [the Law of Ukraine](#) "On the Main Principles of State Supervision (Oversight) in the Area of Commercial Activity". State architectural and construction control of construction customers that are individuals shall be carried out in accordance with the Law of Ukraine "On the Main Principles of State Supervision (Oversight) in the Area of Commercial Activity", taking into account the specific aspects of the legal status of such persons. The procedure for architectural and construction control shall be determined by the Cabinet of Ministers of Ukraine.

*{Paragraph two, part one of Article 41 as amended by Law [No. 199-IX of 17.10.2019](#)}*

The state architectural and construction control shall be carried out at construction objects in accordance with the procedure of carrying out scheduled and unscheduled inspections by the territorial basis.

A scheduled inspection shall mean an inspection provided for in the work schedule of the state architectural and construction inspection body, approved by the head of such body.

An unscheduled inspection shall mean an inspection not covered by the work schedule of the state architectural and construction inspection body.

The grounds for the unscheduled inspection shall be:

1) The submission of a written application by a city planning entity for the inspection of a construction object or construction product at its request;

2) The need to verify the validity of the data contained in the notification of the commencement of preparatory works, the notification of the commencement of construction works, the declaration of the readiness of the object for operation, within three months following the date of submission of these documents;

3) Establishing a fact of unauthorized construction of the object;

4) Verification of compliance by the city planning entity with the requirements of the state architectural and construction control bodies;

5) The requirement of the chief inspector of construction supervision of the central executive authority, which implements state policy on state architectural and construction control and supervision, to carry out an inspection if there are grounds stipulated by law;

6) Applications by individuals or legal entities alleging violations by a city planning entity of the requirements of city planning legislation;

7) Requirement of law enforcement agencies to conduct the inspection.

It shall be prohibited to repeat an unscheduled inspection on the same fact (facts) that was (were) the basis for an earlier unscheduled inspection of a construction object or city planning entities.

*{Part one of Article 41 has been supplemented with a new paragraph under Law [No. 199-IX of 17 October 2019](#)}*

Unscheduled inspections on grounds other than those provided for in this article shall be prohibited, except for those provided for in [paragraph ten](#) of this part.

*{Part one of Article 41 has been supplemented with a new paragraph under Law [No. 199-IX of 17 October 2019](#)}*

Preparatory and construction works which do not comply with the requirements of the legislation, construction regulations and rules, city planning conditions and restrictions, approved design or construction permit for the development of a land plot, shall be performed without acquiring the right to exercise it, and shall be suspended until violations of legislation on the city planning are eliminated.

In the case of systematic (two or more consecutive) interference with the inspection of officials of the state architectural and construction control body, failure to comply with the orders of officials of the state architectural and construction control body in part of elimination of violations of city planning legislation established in the process of the inspection, namely violations of the requirements of the city planning documentation, city planning conditions and restrictions, design documents for the construction of the object, construction regulations and rules and in other cases prescribed by this Law, the relevant state architectural and construction control body shall apply to the court for the termination of the right to carry out preparatory or construction works.

*{Part one of Article 41 has been supplemented with paragraph seventeen under Law [No. 199-IX of 17 October 2019](#)}*

Failure of the state architectural and construction control body to submit a claim to the court for termination of the right to perform preparatory or construction works within two months from the date of expiration of the term for elimination of violations of the requirements of legislation in the field of city planning, construction regulations and rules defined in the order to suspend preparatory or construction works, or the court decision to refuse to open proceedings on the case, to leave the claim (application) without consideration, shall be the basis for resuming the performance of preparatory and/or construction works (except in cases where preparatory and/or construction work is stopped due to the failure to acquire the right to perform them).

*{Part one of Article 41 has been supplemented with paragraph eighteen under Law [No. 199-IX of 17 October 2019](#)}*

The state architectural and construction control body shall use information from the electronic system to implement state architecture and construction control measures.

*{Part one of Article 41 has been supplemented with paragraph nineteen in accordance Law [No. 199-IX of 17.10.2019](#) — for application see [clause 6](#) of Section II}*

The state architectural and construction control body shall consider cases on administrative offences and city planning offences in accordance with the law.

3. Officials of the state architectural and construction control bodies shall have the right:

1) To free access to construction objects and to objects subject to compulsory inspection;

2) Draw up reports on the commission of offences, acts of inspections and impose fines in accordance with the law;

3) In case of detection of violation of the requirements of legislation in the field of city planning, construction regulations and rules, city planning conditions and

restrictions, the approved project or construction passport for the development of a land plot, issue mandatory instructions on:

a) Elimination of the violation of the requirements of the law in the field of city planning, construction regulations and rules,

b) Stopping preparatory and construction work in the cases defined by this Law;

*{Subclause "b", part three of Article 41 as amended by Law [No. 199-IX of 17 October 2019](#)}*

4) To verify that the performance of preparatory and construction work is in accordance with the requirements of the construction regulations rules, the approved design requirements, the decision, the technical conditions, the timeliness and the quality of the implementation of the stipulated regulations, technical and project documentation for surveying, measuring, testing and maintenance of work registers, and the possession of passports, test reports, certificates and other documentation as provided for by law;

5) To verify the conformity of building materials, products and structures used in the construction of objects with the requirements of norms and rules in accordance with the law;

6) To involve representatives of central and local government bodies, local government bodies, expert and public organizations (in agreement with their chief executives) and specialists from scientific research and scientific and technical organizations to the process of carrying out inspections;

7) To obtain, in accordance with the procedure established by law, information and documents required to carry out state architectural and construction control from the executive authorities, local authorities, enterprises, institutions and organizations and individuals.

It shall be prohibited to request from city planning entities any information and documents relating to tax, financial reporting, relating salary payment, cash flows and other not related to the exercise of state architectural and construction control;

8) To require, in cases defined by law, the random opening of individual structural elements of buildings and structures, the carrying out of surveys and measurements, additional laboratory and other tests of building materials, products and structures;

9) To prohibit, due to a reasoned written decision, the operation of completed construction objects which have not been commissioned;

10) To record the verification process with photo, audio and video equipment;

11) To supervise the inspection and certification of objects and the implementation of safety and security measures during their operation.

In one construction object, which is subject to state architectural and construction control, orders on elimination of violations of the requirements of city planning

legislation and construction regulations and rules, on suspension of preparatory and construction works, as well as the on drawing up of reports on the commission of offences and the imposition of fines, may involve several city planning entities.

4. The state architectural and construction control body shall cooperate in its activities with the executive authorities responsible for monitoring compliance with environmental, health and fire protection and occupational safety requirements, energy conservation and other requirements prescribed by law, as well as with the state statistical bodies, the National Police, the prosecutor's office and other law enforcement and controlling bodies.

5. The state architectural and construction control body and its employees shall be provided with the necessary resources in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

6. Officials of the state architectural and construction control body shall be subject to compulsory state insurance in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

7. Decisions of the state architectural and construction control bodies may be appealed to the central executive authority implementing state policy on state architectural and construction control and supervision, or to the courts.

8. In the event of damage, loss resulting from the violation by employees of the state architectural and construction control body of the requirements established by the laws, economic entity may apply to the courts for compensation for material and moral damage.

9. An economic entity shall have the right to appeal to a court against the decisions, acts or omissions of officials of the state architectural and construction control body.

*{Article 41 as amended by Laws [No. 4220-VI of 22.12.2011](#), [No. 5459-VI of 16.10.2012](#), [No. 5496-VI of 20.11.2012](#), [No. 320-VIII of 09.04.2015](#), [No. 766-VIII of 10.11.2015](#); as revised by Law [No. 1817-VIII of 17.01.2017](#)}*

#### **Article 41<sup>-1</sup>.** State architectural and construction supervision

1. State architectural and construction supervision shall mean a set of measures aimed at ensuring compliance by authorized bodies of city planning and architecture, the structural subdivisions of the Kyiv and Sevastopol city state administrations and the executive bodies of the village, settlement and city councils on the issues relating to the state architectural and construction control, other bodies controlling city planning activities (hereinafter referred to as the supervision objects) and the requirements of city planning legislation, construction standards and regulations when carrying out city planning activities.

2. State architectural and construction supervision shall be carried out by the central executive authority implementing state policy on state architectural and construction control and supervision, through the chief inspectors of construction

supervision, in accordance with the [procedure](#) established by the Cabinet of Ministers of Ukraine.

3. For the purpose to carry out state architectural and construction supervision, the chief inspectors of construction supervision shall:

1) Verify the legality of city planning decisions taken by the supervision objects;

2) Request documents and materials on the subject of supervision from state authorities, individuals and legal entities, receive information from automated information and reference systems, registers and databases established by state authorities;

3) Have the right of unimpeded access to the construction sites, premises, documents and materials required for the supervision actions;

4) Require from state architectural and construction bodies to carry out inspections if there are indications of a violation of the requirements of the law in the area of city planning and construction regulations and rules;

5) Involve, if necessary, specialists from enterprises, institutions, organizations, controlling and financial bodies in the supervision of such bodies;

6) Use data of the electronic system.

*{Part three of Article 41 has been supplemented with Clause 6 under Law [No. 199-IX of 17.10.2019](#)}*

4. In the event that any violations of the city planning legislation are found to have been committed by objects of supervision, the chief inspectors of construction supervision shall have the right to:

1) Issue binding orders on the elimination of violations of the city planning legislation;

2) Hold officials of the objects of supervision liable for offences committed in accordance with the law;

3) Initiate disciplinary proceedings against officials of the objects of supervision;

4) To make representations on the dismissal of the official of the objects of supervision to the body which appointed him;

5) To make representations on the exclusion of the right to perform certain types of work of the official of the object of the supervision to the body to which the right has been granted;

6) To apply to the court for the annulment of decisions taken by objects of supervision that violate the requirements of the city planning violations, and subsequently to publish such information on the portal of the electronic system;

*{Paragraph seven, part four of Article 41<sup>-1</sup> as worded by Law [No. 199-IX of 17 October 2019](#)}*

7) To suspend decisions taken by the objects of supervision in accordance with the powers defined in this Law that violate the requirements of the city planning legislation (except for documents certifying the commissioning of the completed construction works), at the same time submitting a claim to the court for the annulment of such decision and the subsequent publication of such information on the portal of the electronic system.

*{Part one of Article 41<sup>-1</sup> has been supplemented with a new paragraph under Law [No. 199-IX of 17 October 2019](#)}*

The suspension of the decision of the object of supervision shall have the effect of suspending, pending the entry into force of a judgement, the performance of preparatory and/or construction works, the right to performance of which has arisen on the basis of a decision which has been suspended.

*{Paragraph nine, part four of Article 41<sup>-1</sup> as worded by Law [No. 199-IX of 17 October 2019](#)}*

Failure of the state architectural and construction control and supervision body to file a claim to the court for the annulment of the decision taken by the object of the supervision, within two months from the date on which the order to suspend the validity of the decision or the court judgement refusing to commence proceedings in the case, or to leave the case pending, shall result in the restoration of the decision taken by the object of the supervision and restoration of the right to perform preparatory and/or construction works.

*{Paragraph ten, part four of Article 41<sup>-1</sup> as worded by Law [No. 199-IX of 17 October 2019](#)}*

Information on the suspension of the decision taken by the object of the supervision shall be communicated to the customer by making the relevant information publicly available on the electronic system portal through the electronic cabinet (if any) and/or other state information system, integrated with the electronic system used by the customer and the chief inspector of construction supervision and with a paper document sent by mail with an enclosure list (in the absence of an electronic cabinet).

*{Paragraph 4 of Article 41<sup>-1</sup> as amended by Law [No. 199-IX of 17.10.2019](#) — for the application see [clause 6 of Section II](#)}*

In the event of the entry into force of a court judgement annulling a decision taken by an object of supervision in violation of the city planning legislation, the chief state inspector for construction supervision shall draw up a protocol in accordance with [the Code of Administrative Offences of Ukraine](#) in regards to an official, which decision has been annulled.

*{Paragraph, part four of Article 41<sup>-1</sup> as worded by Law [No. 199-IX of 17 October 2019](#)}*

Information on administrative liability of an official of the object of supervision shall be sent to the head of the relevant local state administration or local self-government body for a decision on bringing the perpetrator to disciplinary liability.

*{Paragraph, part four of Article 41<sup>-1</sup> as worded by Law [No. 199-IX of 17 October 2019](#)}*

Information on the administrative liability of officials of the object of supervision shall be published on the electronic system portal not later than the next working day.

*{Paragraph 4 of Article 41<sup>-1</sup> as amended by Law [No. 199-IX of 17.10.2019](#) — for the application see [clause 6 of Section II](#)}*

Officials of the objects of supervision shall be liable under the law for failure to comply with the written requirements of the chief construction inspectors.

*{Paragraph, part four of Article 41<sup>-1</sup> as worded by Law [No. 199-IX of 17 October 2019](#)}*

5. Central executive body implementing state policy on state architectural and construction control and supervision shall control the compliance of economic entities with the licensing conditions for carrying out types of economic activities for the construction of objects which by class of consequences (liability) belong to medium (CC2) and high (C3) consequences.

*{Section IV has been supplemented by Section 41<sup>-1</sup> in accordance with Law [1817-VIII of 17.01.2017](#)}*

## **Section V FINAL PROVISIONS**

1. This Law shall enter into force on the date of its publication, except for:

1) Parts [three](#) and [four](#) of Article 24, which shall enter into force from 1 January 2013;

*{Subclause V, clause 1, Section V as amended by Law [No. 4052-VI of 17.11.2011](#)}*

2) [parts two to five of Article 31, subclause 2, paragraphs five to eleven of subclause 3, paragraphs six to nine and fifteen to seventeen of subclause 5, paragraphs two and four and eight of subclause 6, subclauses 7-9, 13, paragraphs two to five of subclause 14, subclauses 19-20 of clause 11 of Section V](#) “Final Provisions“ of this Law, which enter into force three months following the date of entry into force of this Law;

3) [Part three, paragraph seven, part nine](#) of Article 40, which shall enter into force on 1 January 2013.

2. Laws and other regulatory acts adopted before the effective date of this Law shall be effective to the extent not contradicting this Law.

3. The general schemes of settlements approved before the entry into force of this Law shall be of unlimited duration.

4. Designs of territory development, land allocation and city planning projects with appropriate conditions and restrictions for land plots development, construction passports, documents for commissioning and certification, developed and/or formalized before the entry into force of this Law, may be approved and used after the entry into force of this Law.

The provisions of the designs of territory development approved in accordance with this clause, the allocation of territories, city development plans with appropriate conditions and restrictions for the development of land plot shall be taken into account in the development process, making changes and updating city planning documents at the local level.

5. Basic data for the designing, expert opinions to the design and estimate documentation for the construction of objects, expert opinions to projects of city planning documentation received prior to the entry into force of this Law, shall be effective within two years from the date of entry into force of this Law.

Technical conditions for electrical facilities producing electrical energy using alternative energy sources issued prior to the date of entry into force of [the Law of Ukraine](#) “On Amendments to Certain Laws of Ukraine on Ensuring Competitive Conditions for the Production of Electric Energy from Alternative Energy Sources” shall be valid

*{Clause 5, Section V has been supplemented with paragraph two under Law [No. 2712-VIII of 25.04.2019](#)}*

for objects generating electricity from solar radiation energy — for not more than two years following the date of entry into force of the said Law;

*{Clause 5, Section V has been supplemented with paragraph three under Law [No. 2712-VIII of 25.04.2019](#)}*

For objects generating electricity from other alternative energy sources — for not more than three years following the date of entry into force of the said Law.

*{Clause 5, Section V has been supplemented with paragraph four under Law [No. 2712-VIII of 25.04.2019](#)}*

If the customer is an economic entity which acquired the right to receive support based on the auction results, the technical conditions for the electric power facility generating alternative energy sources, issued to such customer, shall be valid for the term of fulfilment of obligations in regards to construction and commissioning of the electric power facilities in accordance with [Article 9<sup>3</sup>](#) of the Law of Ukraine "On Alternative Energy Sources".

*{Clause 5, Section V has been supplemented with paragraph five under Law [No. 2712-VIII of 25.04.2019](#)}*

Technical conditions and contracts on connection of electrical facilities producing electric energy from alternative energy sources to electrical networks, issued/concluded prior to the date of entry into force of [the Law of Ukraine](#) “On Amendments to Certain laws of Ukraine on Ensuring Competitive Conditions for the Production of Electric Energy from Alternative Energy Sources” shall be brought into conformity with the said Law.

*{Clause 5, Section V has been supplemented with paragraph six under Law [No. 2712-VIII of 25.04.2019](#)}*

6. Before 1 January 2015, a decision on the definition and allocation of city planning conditions and restrictions in territories where zoning plans or detailed plans of territories have not been approved in accordance with this Law, shall be taken by authorized city planning and architectural bodies, taking into account previous planning decisions, within the terms established by law.

*{Clause 6 of Section V as amended by Laws [No. 4052-VI of 17.11.2011](#), [No. 606-VII of 19.09.2013](#)}*

6<sup>-1</sup>. 6-1. Enact that parts [three](#) and [four](#) of Article 24 of this Law shall not, by 1 January 2015, apply to territories where zoning plans or detailed plans have not been approved in accordance with this Law.

*{Section V has been supplemented by clause 6<sup>-1</sup> in accordance with Law [No. 606-VII of 19.09.2013](#)}*

6<sup>-2</sup>. 6-2. Enact that [part three](#) of Article 24 of this Law shall not apply to the granting of land plot on the Alley of Heroes of the Heavenly Hundred in Kyiv for use of the National Memorial Complex of Heroes of the Heavenly Hundred — Museum of the Revolution of Dignity for construction, operation and maintenance of the memorial and museum complex.

*{Paragraph one, clause 6-2 of Section V as amended by Law [No. 2276-VIII of 06.02.2018](#)}*

The construction of the memorial and museum complex is to be carried out in accordance with the design developed on the basis of the results of an open tender for the best design of this memorial and museum complex, held in accordance with the procedure established by the Cabinet of Ministers of Ukraine, and approved on the basis of the results of public discussion of tenders.

It shall be prohibited to change further the purpose or owner (user) of a land plot referred to in the paragraph one of this clause and to lease and/or sublease land plots (parts thereof) or premises of a memorial and museum complex.

*{Paragraph three, clause 6<sup>-2</sup> of Section V as amended by Law [No. 2276-VIII of 06.02.2018](#)}*

*{Section V has been supplemented by clause 6<sup>2</sup> in accordance with Law [No. 1854-VIII of 21.02.2017](#)}*

7. If a contributory participation agreement concluded prior to the entry into force of this Law provides for the payment by the customer of contributory participation (in whole or in part) in amounts other than those defined by this Law, such agreement shall be brought into conformity with this Law.

Any decisions of the local self-government authorities on the provision of any services by the customer of construction, the transfer of assets in any form (material or intangible), the transfer of a part (percentage) of the areas of commissioned city planning objects, in addition to contributory participation under this Law, those adopted prior to the entry into force of this Law shall be brought into conformity with this Law.

8. Construction permits obtained prior to the entry into force of this Law shall remain valid until the completion of the construction of the object.

Preparatory work permits obtained prior to the entry into force of this Law shall remain valid until the works have been completed or until a declaration of the commencement of construction works or a construction permit is registered.

9. State architectural and construction control body shall commission free of charge within 10 working days from the date of submission of the application by the owners (users) of the land plots whereon the objects of construction are located, which by class of consequences (liability) belong to objects with low consequences (CC1) that have been built on a land plot with the targeted purpose without a permit document for construction works, as of the technical survey results as follows:

*{Paragraph one, clause 6-9 of Section V as amended by Law [No. 2363-VIII of 22.03.2018](#)}*

individual (homestead) houses, garden houses, summer houses with a total area of up to 300 square meters, as well as economic (household) buildings and constructions with a total area of up to 300 square meters constructed from 5 August 1992 to 9 April 2015;

*{Paragraph two, clause 6-9 of Section V as amended by Law [No. 2363-VIII of 22.03.2018](#)}*

agricultural buildings and structures built before 12 March 2011.

*{Paragraph three, clause 6-9 of Section V as amended by Law [No. 2363-VIII of 22.03.2018](#)}*

The procedure for the commissioning of such objects and the conduct of the technical survey shall be determined by the central executive authority responsible for shaping state policy on the city planning. At the same time, technical survey of individual (homestead) residential houses, garden and summer houses with a total area of up to 300 square meters inclusive, economic (household) houses buildings and

structures with a total area of up to 100 square meters shall be carried out during their technical inventory with the appropriate mark in the technical passport.

Owners (users) of the land plots which, in accordance with this clause, have submitted documents on the commissioning of construction projects which were constructed without a construction permit, shall not be imposed with penalties for the performance of construction works without obtaining the documents authorizing their performance and for the operation or use of construction objects which were not commissioned.

*{Section V, paragraph 9 of the Law [No. 5496-VI of 20.11.2012](#), [No. 92-VIII of 13.01.2015](#)}*

9<sup>1</sup>. It shall further be established that:

1) For the period prior to the formation (determination) of the powers defined in this Law by the central executive authority and by the bodies of local self-government and the bodies of state architectural and construction control implementing state policy on state architectural and construction control and supervision;

*{Paragraph 9<sup>1</sup>, Section V shall come into force on 01.09.2015 — see [clause 1, Section II, of Law No. 320-VIII of 09.04.2015](#)}*

2) State architectural and construction control bodies shall be formed (determined) by the Kyiv and Sevastopol city state administrations and local self-government bodies on the basis of the possibilities and needs of the respective territories;

3) State architectural and construction control bodies shall operate on the basis of a model regulation on their activity approved by the Cabinet of Ministers of Ukraine in accordance with this Law;

*{Paragraph 9<sup>1</sup>, Section V shall come into force on 01.09.2015 — see [clause 1, Section II, of Law No. 320-VIII of 09.04.2015](#)}*

4) Upon application of the relevant local government body to the central executive authority implementing state policy on state architectural and construction control and supervision, a joint commission shall be established to transfer the relevant documentation and to deal with questions relating to the formation and functioning of the state architectural and construction control body.

*{Paragraph 9<sup>1</sup>, Section V shall come into force on 01.09.2015 — see [clause 1, Section II, of Law No. 320-VIII of 09.04.2015](#)}*

The state architectural and construction Control body shall begin to exercise the powers defined by [the Law of Ukraine](#) “On Amendments to Certain Legislative Acts of Ukraine on Decentralization of Powers in the area of Architectural and Construction Control and Improvement of City Planning Legislation”, on the next day following the approval of the act of the joint commission.

*{Paragraph 9<sup>1</sup>, Section V shall come into force on 01.09.2015 — see [clause 1, Section II, of Law No. 320-VIII of 09.04.2015](#)}*

Documents, authorising to carry out preparatory and construction works obtained and valid on the date of entry into force of [the Law of Ukraine](#) “On Amendments to Certain Legislative Acts of Ukraine on Decentralization of Powers in the area of Architectural and Construction Control and Improvement of City Planning Legislation”, shall be valid until the completion of construction of objects.

*{Paragraph 9<sup>1</sup>, Section V shall come into force on 01.09.2015 — see [clause 1, Section II, of Law No. 320-VIII of 09.04.2015](#)}*

The state architectural and construction control bodies specified in [Articles 6 and 7](#) of the Law of Ukraine “On the Regulation of City Planning Activities” shall be responsible for amending, revoking, and state architectural and construction control and commissioning of objects constructed on the basis of such documents. If any violations of the requirements of the city planning legislation are established during the inspection in respect of such objects, the relevant state architectural and construction control and supervision body shall apply to the court for termination of rights to carry out preparatory and construction works.

*{Paragraph eight of clause 9<sup>1</sup> of Section V as amended by Law [No. 199-IX of 17.10.2019](#)}*

*{Section V has been supplemented with clause 9<sup>1</sup> under Law [No. 320-VIII of 09.04.2015](#)}*

10. [The Law of Ukraine “On Planning and Development of Territories”](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 2000, No. 31, Art. 250, with subsequent amendments) shall be declared invalid.

11. The following legislative acts of Ukraine shall be amended:

1) [Part five](#), Article 81 of the Code of Civil Procedure of Ukraine (The Official Bulletin of the Verkhovna Rada of Ukraine, 2004, Nos. 40-42, Art. 492) shall be supplemented with the following paragraph three:

“Expenses for information and technical support shall not be subject to payment in the cases where, in cases established by law, the State Architectural and Construction Inspectorate of Ukraine or its territorial bodies represent the interests of the state in court”;

2) in [the Law of Ukraine “On Environmental Protection”](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 1991, No. 41, Art. 546; 2000, No. 27, Art. 213; 2007, No. 34, Art. 444; 2009, No. 30, Art. 428):

[Clause “g”](#) of Article 3 shall be restated as follows:

“g) Mandatory submission of conclusions made by the state environmental expertise”;

[part two](#) of Article 26 shall be removed;

in [part one](#) of Article 27:

in clause “a”, the words “and other pre-schedule and pre-design documentation” shall be removed;

clause “b” shall be removed;

in [Article 28](#):

The second sentence of [part one](#) shall be restated as follows: "Construction designs shall be evaluated in accordance with Article 31 of the Law of Ukraine “On the Regulation of City Planning Activities”;

[clause “b”](#) of part two shall be removed;

in [clause “d”](#) of part two of Article 68 the word “construction” shall be removed;

3) in [the Law of Ukraine “On Investment Activity”](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 1991, No. 47, Art. 646; 1998, No. 33, Art. 226; 2002, No. 15, Art. 100; 2007, No. 34, Art. 444; 2009, No. 19, Art. 257; 2010, No. 34, Art. 486):

in part one of Article 8:

Paragraphs three and four shall be amended to read as follows:

“to obtain a permit for construction works in the cases and according to the procedure established by the Law of Ukraine “On Regulation of City Planning”;

to obtain a positive expert opinion of the construction project in the cases and the manner prescribed by Article 31 of the Law of Ukraine “On Regulation of City Planning”;

shall be supplemented with recital 5 reading as follows:

to obtain positive opinion of the state examination of the investment programme (project) in the cases and the manner prescribed by the Cabinet of Ministers of Ukraine;

Article 15 shall read as follows:

**“Article 15. State examination of investment programmes (projects)**

1. Compulsory state expertise shall be required for investment programmes (projects) carried out with the use of budgetary resources, funds of the state enterprises, institutions and organizations, and loans provided under the state guarantees.

2. State expertise on investment programmes (projects) shall be carried out in accordance with the procedure established by the Cabinet of Ministers of Ukraine”;

4) in [the Law of Ukraine "On the Principals of Town Planning"](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 1992, No. 52, Art. 683; 2001, No. 16, Art. 76; 2003, No. 30, Art. 247; 2007, No. 34, Art. 444; 2008, No. 48, Art. 358; 2010, No. 5, Art. 41):

Articles 3, 4, 22 and 23 shall be removed;

In paragraph two of Article 5 the words “regional and local building regulations” shall be removed;

in Article 8:

in paragraph four the words “regional and local development regulations” shall be removed;

in paragraph nine the words “regional and local regulations on the development of settlements” shall be removed;

in part one of Article 10:

in paragraph three the words “regional, local development regulations” shall be removed;

paragraph five shall be removed;

in Article 11:

paragraph 5 of part one shall be removed;

in part two the words “regional, local regulations for the development of localities and territories of the oblast (other than cities of oblast significance)” shall be replaced with the words “appropriate city planning documentation”;

Article 12 shall read as follows:

**“Article 12. Competence of village, settlement, city councils and their executive bodies in the field of city planning**

The competence of village, settlement and city councils in the field of city planning in respective territories shall include the approval, in accordance with the law, of local programmes, general schemes for the respective localities and territory zoning plans in the absence of legally approved zoning plans - detailed territorial plans.

In addition to the powers referred to in part one of this Article, the respective local council shall form a body for city planning and architecture within the executive committee of the council.

Local councils shall decide on other matters in the field of city planning in accordance with the law, as well as may delegate matters within their competence to their executive bodies or to the relevant local state administrations.

The competence of executive bodies of village, settlement and city councils in the field of city planning shall include:

Approval of detailed plans of territory with zoning plans approved as prescribed by law;

Identification of territories for city planning needs;

Making proposals for the establishment and change of the boundaries of localities in accordance with the law“;

in part two of Article 13:

paragraph five shall be removed;

in paragraph six the words “the exercise of state control over the use of land designed for city planning needs”;

in Article 14:

in part 1:

Paragraph two shall be amended to read as follows:

“Designation of territory for city planning as decided by the relevant council”;

In paragraph four the words “if delegated to them by the relevant councils” shall be deleted;

in paragraph five the words “local regulations on the development of settlements” shall be removed;

to delete part 2;

paragraph six, Part two of Article 17 shall be amended to read as follows:

“making decision on the forfeiture (purchase), transfer (granting) of land plots to the ownership or use of citizens and legal entities”;

in Article 21:

in part one the words “and choice of land” and “local construction regulations” shall be removed;

part 4 shall be exclude;

in part five “and choice of land” shall be removed;

*{Subclause 5, clause 11 of Section Vas ceased to be in force under Code [No. 5403-VI of 02.10.2012](#)}*

6) in [the Law of Ukraine “On Ensuring Sanitary and Epidemic Safety of the Population”](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 1994, No. 27, Art. 218; 2006, Nos. 5-6, Art. 74, No. 22, Art. 199 ; 2007, No. 34, Art. 444; 2010, No. 34, Art. 486):

in [paragraph sixteen](#) in Article 1 the words "construction designs" shall be removed;

[paragraph five](#) of Article 11 shall be removed;

second sentence, [part one](#) of Article 12 shall be restated as follows: "Construction designs shall be evaluated in accordance with Article 31 of the Law of Ukraine "On Regulation of City Planning Activities";

[part three](#) of Article 15 shall be amended to read as follows:

"Approval of standards for the design, development, production and use of new machines, mechanisms, equipment, other means of production, introduction of new technologies is carried out in coordination with the state sanitary and epidemiological service";

in [clause "d"](#), part one of Article 41, the words "development and other types of land use" shall be deleted;

in [clause "b"](#), part one of Article 42, the words "on designs that do not have a positive conclusion as of the results of the state sanitary and epidemiological expertise, and" shall be deleted;

1) in [Law of Ukraine "On Energy-Saving"](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 1994, No. 30, Article 283; 2006, No. 15, Article 126):

in clause "b" of Article 22 the words "imputed fuel" shall be replaced with the words "imputed fuel - by the decision of the customer in case of granting preferences (subsidies, tax or financial and credit concessions) through budgetary funds;

part three of Article 23 shall be amended to read as follows:

"The state expert examination on energy saving shall be carried out by the body authorized by the Cabinet of Ministers of Ukraine. Construction projects shall be evaluated in accordance with Article 31 of the Law of Ukraine "On Regulation of City Planning Activity";

in sentence one, part two of Article 24, the words "not commissioned" shall be removed;

in clause "d" of part two of Article 627 the word "construction" shall be removed;

*{Subclause 8, clause 11 of Section V became invalid on the basis of Law [No. 2059-VIII of 23.05.2017](#)}*

9) in [Article 40](#) of the Law of Ukraine "On Use of Nuclear Power and Radiation Security" (The Official Bulletin of the Verkhovna Rada of Ukraine, 1995, No. 12, Art. 81):

in part one the words "feasibility study and construction, reconstruction, decommissioning, materials" shall be replaced with the word "Materials";

part 2 shall be followed by a new part to read as follows:

"Construction projects shall be evaluated in accordance with Article 31 of the Law of Ukraine "On Regulation of City Planning Activity".

Accordingly, Parts 3 - 6 shall be considered, respectively, Parts 4 - 7, respectively;

10) in [the Law of Ukraine “On Local Self-Government in Ukraine”](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 1997, No. 24, Article 170 as amended):

in [part one](#) of Article 31:

in subclause 10 of clause “a” the words "local regulations for development of localities" shall be removed;

in subclause 1 of clause "b" the words "as provided by law" shall be replaced with the words "and in cases prescribed by law";

in [clause 1](#), part three of Article 43, the words "development and" shall be removed;

[part three](#) of Article 51 shall be supplemented with the following sentence: “The city council shall form a body on city planning and architecture within the executive committee of the council”;

11) in [the Law of Ukraine “On Architectural Activity”](#) (the Official Bulletin of the Verkhovna Rada of Ukraine, 1999, No. 31, Art. 246; 2004, No. 22, Art. 184; 2006, No. 22, Art. 184, No. 39, Art. 342; 2007, No. 34, Art. 444; 2008, No. 48, Art. 358; 2009, No. 19, Art. 257):

in Article 1:

paragraph seven shall be removed;

shall be supplemented with paragraph fifteen to read as follows:

“self-regulatory organisations in the field of architectural activity are non-profit voluntary associations of individuals and legal entities in the relevant area of business or professional activity which acquired the appropriate status under the established procedure”;

in Article 3 the words "On planning and development of territories" shall be replaced with the words "On Regulation of City Planning";

in Article 4:

Paragraph 2 shall be amended to read as follows:

“preparing city planning conditions and restrictions on land development in cases and under the procedure provided by law”;

Paragraph 4 shall be amended to read as follows:

"searching for an architectural solution, design development, agreement in cases established by the law and design approval";

Article 5 shall be deleted;

in part four of Article 6, part one of Article 10, paragraph two, part one of Article 26, the words "local rules for the development of localities" shall be deleted;

Article 7 shall read as follows:

**"Article 7.** Development and approval of an architectural work design

The design of the architecture shall be elaborated under the direction or with the obligatory participation of the architect having the relevant qualification certificate.

The design of the architecture work shall be signed and sealed with the architect's personal seal, which has the qualification certificate.

Design documentation for the construction of facilities, developed according to city planning conditions and restrictions on land development, is not subject to approval by the relevant executive authorities, local governments, cultural heritage conservation authorities, the state sanitary and epidemiological service and environmental authorities.

Architectural work designs are approved by the customer. The approval of architectural work designs, which are built with state funds, shall be carried out in the manner determined by the Cabinet of Ministers of Ukraine.

Before the approval of designs they shall be evaluated in the cases specified in Article 31 of the Law of Ukraine "On Regulation of City Planning Activity".

An architect who has the appropriate qualification certificate must be involved in the examination of the architectural solution of the architectural work design.

Amendments to the approved design are made only with the consent of the architect - author of the design, and in case of deviation from the technical specifications – upon agreement with enterprises, institutions and organisations that provided such technical specifications, and the customer.

Amendments to the approved draft amendments related to changes in state standards, regulations and rules shall be made with the consent of the customer unless otherwise provided for by law.

Persons involved in the design development do not have the right to examine these designs, to approve them or to issue a construction permit for such designs.

It shall be prohibited to require from customers the decision of the architectural and city planning council for further consideration and approval of design documentation";

part 1 of Article 9 shall be amended to read as follows:

"Construction (new construction, reconstruction, restoration, capital repairs) of an architectural work is carried out per the approved design documentation, state standards, regulations and rules in the manner prescribed by Law of Ukraine "On Regulation of City Planning Activity";

Articles 12 and 15 shall be deleted;

in part five of Article 14 the words “and local development regulations”;

Section III shall be supplemented by Article 16<sup>1</sup> to read as follows:

**"Article 16<sup>1</sup>.** Self-regulatory organisations in the field of architectural activity

Self-regulatory organisations in the field of architectural activity can be created and operate in Ukraine.

Non-profit voluntary associations of individuals and legal entities engaged in entrepreneurial and professional activities shall acquire the status of self-regulating organizations on the day of their registration by the central executive authority on construction matters, city planning and architecture and their inclusion in the state register of self-regulating organizations in the field of architectural activity.

Self-regulatory organisations in the field of architectural activities determine the rules and standards of business and professional activities mandatory for all members of such organisations and provide a mechanism for compensation for damages caused to consumers by members of the self-regulatory organisation providing goods, performing works (services) of improper quality.

Self-regulatory organisations in the field of architectural activities based on delegated powers may conduct professional certification of contractors (service providers) related to the creation of architectural works and be involved in licensing the economic activities of members of the self-regulatory organisation.

The central executive authority on construction, city planning and architecture shall determine the procedure for the registration of such organizations and shall supervise their activities”;

Articles 17 and 18 shall be amended to read as follows:

**“Article 17.** Licensing and professional certification of contractors (service providers) related to the creation of architectural works

Economic activities related to the creation of the architecture work shall be subject to licensing in accordance with the law.

The procedure for licensing economic activities related to the creation of the architecture work shall be determined by the Cabinet of Ministers of Ukraine.

The licensing bodies shall be the State Architectural and Construction Inspectorate of Ukraine and its territorial bodies.

Responsible contractors of certain types of works (service providers) related to the creation of architectural works shall undergo professional certification. The list of such types of works (services) and procedure for professional certification shall be determined by the Cabinet of Ministers of Ukraine.

Professional certification of the contractors of works (services) related to the creation of architectural works shall be carried out by the central executive authority on construction, city planning and architecture. Powers to conduct professional certification may be delegated to self-regulatory organisations in the field of architectural activities. A self-regulating organization shall acquire delegated powers from the date on which the central executive body issues a decision on the granting (delegation) of such powers in an official publication, designated by such a body.

Citizens shall be permitted to the professional certification who:

Have gained higher education at the qualification levels of a specialist and a master's degree in the field of professional certification, and have at least three years' experience in the field of specialization;

Have not gained higher education at the educational qualification level by a specialist or a master's degree in the field of professional certification, but they have at least 10 years' experience in city planning.

Citizens who have passed the professional certification are issued an appropriate qualification certificate.

Citizens who have received the relevant qualification certificate may perform certain types of work (services) related to the creation of the architecture work without the appropriate license, have a personal seal and are liable for improper performance of the works (services), the right to perform which is defined by the qualification certificate, and violation of the requirements of the legislation, construction regulations, standards and rules.

The information on the person who has received the qualification certificate shall be entered in the register of certified persons.

The form of the qualification certificate, the procedure for payment of fees for the performance of professional certification and the amount thereof shall be approved by the central executive authority on construction, city planning and architecture.

#### **Article 18.** Certification Commission for Architecture and Construction

Professional certification of the contractors of works (services) related to the creation of architectural works shall be carried out by the Certification Commission for Architecture and Construction.

Certification Commission for Architecture and Construction shall:

Determine the level of qualification and knowledge of specialists and their specialization;

Issue the relevant qualification certificates and revoke the decision on their issuance;

May form sections by type of works (service) and professional specialization;

Exercise other powers in accordance with the Regulations on the Certification Commission for Architecture and Construction, which are approved by the central executive authority on construction, city planning and architecture”;

in Article 22:

Paragraph 3 shall be amended to read as follows:

"receive on behalf of the customer city-planning conditions and restrictions on land development and technical specifications for engineering support of the architecture work under the established procedure";

In paragraph five the words “original data for designing” shall be replaced with “city planning conditions and land development restrictions”;

in Article 23:

Paragraph 3 shall be amended to read as follows:

“approve the project, if it does not contradict the legislation, city planning conditions and restrictions of the land plot development”;

in paragraph four the words "design assignment" shall be removed;

in part two of Article 26 the words "regional and local construction regulations" shall be removed;

Part 2 of Article 27 shall be amended to read as follows:

“In addition to fulfilling the obligations specified in part one of this Article, the customers shall also transfer one set of design documentation, according to which the architectural work is built, to the owner of such work for permanent storage”;

In paragraph two of Article 28 the words “established by local regulations on the development of settlements”;

in the text of [the Law](#) the words "customer (developer)" shall be replaced by the words "customer" in relevant case and form;

12) in [the Law of Ukraine “On Natural Monopolies”](#) (the Official Bulletin of the Verkhovna Rada of Ukraine, 2000, No. 30, Article 238, 2009, No.19, Art. 257):

Article 7 shall be supplemented with part two to read as follows:

“The conditions and rules for the conduct of business activities in natural monopolies and related markets (licence terms) shall define the obligations of natural monopoly entities to provide technical conditions for engineering security the construction objects according to the requirements of the law”;

part one of Article 10 after paragraph six shall be supplemented with two new paragraphs to read as follows:

“provide, at the request of local self-government bodies, information on the available capacities for providing construction facilities and engineering networks (structures);

ensure the provision of technical specifications for engineering support of the construction object in accordance with the procedure and terms established by law.”

In this regard, paragraphs seven and eight shall be considered paragraphs nine and ten, respectively;

part one of Article 17 shall be supplemented with paragraph five to read as follows:

“Systematic provision of inaccurate information as part of technical specifications for the engineering support of the construction object, or refusal or delay in the provision of technical specifications for the engineering support of the construction object; failure to enter into a contract to secure the construction object on the basis of the technical conditions or failure to connect the construction object to the engineering networks according to the technical conditions and the contract concluded to secure the construction object — in the amount of 10,000 times the non-taxable minimum income of citizens”;

13) in clause 19 of Article 5, clause 9 of part one and clause 7 of part two of Article 6 of [the Law of Ukraine "On the Protection of Cultural Heritage"](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 2000, No. 39, Art. 333; 2005, No. 5, Art. 114; 2011, No. 4, Art. 22) the word "construction" shall be deleted;

14) in [Articles 21](#) of the Law of Ukraine "On Labor Protection" (The Official Bulletin of the Verkhovna Rada of Ukraine, 2003, No. 2, Article 10; 2007, No. 34, Art. 444; 2009, No. 44, Art. 654; 2010, No. 28, Art. 353, No. 34, Art. 486; 2011, No. 6, Art. 47):

in [Part 2](#):

in the second sentence, the words "construction, reconstruction, technical re-equipment, etc. of production facilities, engineering infrastructures of social and cultural facilities" shall be deleted;

the last sentence shall be restated as follows: "Construction designs shall be evaluated in accordance with Article 31 of the Law of Ukraine “On the Regulation of City Planning Activities”;

in [part seventeen](#) the words “Expertise of designs" shall be replaced with the words "expertise of design and other documentation for the production and implementation of new technologies and means of production, collective and individual protection equipment", and the words "their commissioning" shall be replaced;

*{Paragraph five, subclause 14, clause 11 of Section V as amended by Law [No. 3395-VI of 19.05.2011](#)}*

[part twelve](#) shall be excluded;

15) in [Article 53](#) of the Law of Ukraine "On Land Management" (The Official Bulletin of the Verkhovna Rada of Ukraine, 2003, No. 36, Article 282):

clause "a" of part three shall be read as follows:

"a) targeted purpose of land";

shall be supplemented with parts four and five to read as follows:

"Land management projects may also provide for the formation of land plots of state and municipal ownership at the expense of land that is not provided for use.

Land management projects related to the improvement of the territories of localities shall be subject to approval by commissions for consideration of issues related to the approval of land management documentation, and shall be approved by village, settlement, and city councils";

16) in [Law of Ukraine "On Financial and Credit Mechanisms and Property Management during House Building and Real Estate Operations"](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 2003, No. 52, Art. 377; 2006, No. 13, Art. 110; 2009, No. 17, Art. 236; 2010, No. 34, Art. 486):

paragraphs eighteen to twenty-three of Article 2 shall be removed;

part three of Article 9 shall be removed;

in part three and paragraph two of part four of Article 11, the words "and project declaration" and "defined in the project declaration" shall be removed;

in part 1 of Articles 13:

paragraphs three and fifteen shall be removed;

in paragraph eighteen the words "specified in the design declaration" shall be removed;

in Article 14:

in paragraph nine of part five, the words "in accordance with the design declaration" shall be removed;

in part seven:

paragraph six shall be supplemented with the words "or registration of the declaration on the commencement of construction works";

paragraph eight shall be removed;

in Article 16:

in part four:

paragraph six shall be supplemented with the words "or registered declaration on the commencement of construction works";

paragraph eight shall be removed;

parts five and six shall be removed;

in part ten the words "specified in the design declaration" shall be removed;

in part six of Article 24:

paragraph two shall be removed;

in paragraph three the words "in accordance with the design declaration" shall be removed;

17) in the [Law of Ukraine "On Land Lease"](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 2004, No. 10, Article 102):

Article 19 shall be supplemented with a new part following part one to read as follows:

"Upon completion of property construction and commissioning, a bona fide lessee of the land plot provided for the construction and maintenance of the respective property shall have the right to the first-priority conclusion of a land lease contract for up to 50 years or the right to terminate the land lease contract".

In this connection, parts two and three shall be deemed to be parts three and four respectively;

in paragraph three, part one of Article 24 the words "including local rules for the development of localities" shall be removed;

Article 33 shall read as follows:

**“Article 33. Prolongation of land lease contract**

After the period of the land lease has expired, the lessee who duly complied with the obligations under the provisions of the contract shall have a pre-emptive right over other persons to enter into the land lease contract for a new period (prolongation of land lease contract).

The lessee who intends to exercise the pre-emptive right to enter into the land lease contract for a new term, shall notify the lessor before the expiration of the land lease contract within the period established by this contract, but not later than one month before the expiration of the land lease contract.

The lessee attaches a draft supplementary agreement to the notification letter about the renewal of the land lease contract.

Provisions of the land lease contract being renewed may be changed with the consent of the parties. In case of failure to reach consent on lease payment and other essential provisions of the contract, the lessee's pre-emptive right to enter into the land lease contract shall be nullified.

The lessor, within one month, reviews the notice letter sent by the lessee with the draft supplementary agreement, verifies it for compliance with the requirements of the law, agrees with the lessee (if necessary) the essential terms of the agreement and, if there are no objections, decides to renew the land lease contract (in relation to state and municipal land), enters into an additional agreement with the lessee on the renewal of the land lease contract. If the lessor has any objections regarding the renewal of the land lease contract, the lessee shall send a letter of notification on the decision adopted by the lessor.

If the lessee continues to use the land plot after the end of the land lease contract and in the absence of a letter of notification to the lessor about objections to the renewal of the land lease contract within one month after the end of the contract, such contract is considered renewed for the same period and under the same conditions that were provided for in the contract. In this case, an additional agreement on the renewal of the land lease contract is concluded with:

the owner of the land plot (in relation to private property lands);

by the authorized head of the executive body or local self-government body without making a decision by the executive body or local self-government body on the renewal of the land lease contract (in relation to state or municipal land).

The head of the executive body or local self-government body authorized to sign an additional agreement to the land lease contract in respect of a land plot of state or municipal ownership is determined by the decision of this body.

An additional agreement to the land lease agreement on its renewal must be concluded by the parties within one month.

The refusal, as well as the apparent delay in concluding the additional agreement to the land lease contract, may be appealed in court.

In the event of a change in the border or intended purpose of a land plot the renewal of the land lease contract is carried out in the procedure of obtaining a land plot on the right of lease";

18) in [part one](#) of Article 31 of the Law of Ukraine "On Telecommunications" (The Official Bulletin of the Verkhovna Rada of Ukraine, 2004, No. 12, Art.155) the words "in cases and in accordance with the procedure established by law" shall be replaced with the words "in accordance with Article 31 of the Law of Ukraine "On Regulation of City Planning Activities";

19) in [the Law of Ukraine "On the Protection of Archaeological Heritage"](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 2004, No. 26, Art. 361; 2011, No. 4, Art. 22):

in paragraph six of Article 7 the words "in accordance with the law" shall be replaced with the words "in cases provided for by law";

Article 9<sup>1</sup> shall be removed;

in the text [of the Law](#) the word "construction" shall be removed;

*{Subclause 20, clause 11 of Section Vas ceased to be in force under Code [No. 5403-VI of 02.10.2012](#)}*

21) in [the Law of Ukraine “On Settlement Improvement”](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 2005, No. 49, Art. 517; 2008, No. 48, Art. 358; 2010, No. 5, Art. 41):

in paragraph four, part one of Article 1, Article 14, the words "local construction regulations" shall be deleted;

clause 10, part one of Article 10 shall be amended to read as follows:

“10) determination of the volume of share participation of owners of buildings and structures for social and cultural, household, commercial and other purposes in the maintenance of improvement objects”;

clause 1 of part one shall be amended to read as follows:

“1) perform works without a permit if the obligation to obtain it is provided for by law”;

In part two of Article 23 the words “regional and local construction regulations” shall be removed;

Article 27 shall be deleted;

Part three of Article 6 shall be supplemented with paragraph two to read as follows:

"It shall not require obtaining a permit (order) for the removal of green spaces to perform works on the basis of one of the documents defined in part one of Article 34 of the Law of Ukraine “On Regulation of City Planning Activities”;

part three of Article 34 shall be supplemented with paragraph to read as follows:

The rules may not require individuals or legal entities to obtain permits, approvals or other permissive documents, or the powers of state or local authorities, their officials, enterprises, institutions and organizations formed by such bodies to issue such documents”;

22) in [part two](#) of Article 4 of the Law of Ukraine “On Comprehensive Reconstruction of Quarters (Microdistricts) of Obsolete Housing Stock” (The Official Bulletin of the Verkhovna Rada of Ukraine, 2007, No. 10, Art. 88) the words “and local development rules” shall be removed;

23) in [Law of Ukraine “On Construction Regulations”](#) (The Official Bulletin of the Verkhovna Rada of Ukraine, 2010, No. 5, Art. 41):

part five of Article 10 shall be supplemented with three sentences of the following content: “In order to ensure harmonisation of the regulatory framework of Ukraine with the regulatory framework of the European Union, a period of simultaneous validity of

construction regulations developed on the basis of national technological traditions and construction regulations harmonised with European Union regulations (or other construction regulations) is established. The Procedure for the application of these norms is determined by the Cabinet of Ministers of Ukraine. Justified deviations from the construction regulations that ensure observance with the stipulated safety requirements in a manner not specified in the construction regulations may be agreed upon by the subject of rationing following the procedure it has established”;

part one of Article 11 shall be supplemented with the following sentence: “International, regional and national (state) construction regulations, standards of other states are applied in Ukraine in accordance with international treaties of Ukraine, the consent to be bound by which was provided by the Verkhovna Rada of Ukraine”;

24) [clause 42](#), part one of Article 4 of Decree of the Cabinet of Ministers of Ukraine No. 7-93 of 21 January 1993 “On State Duty” The Official Bulletin of the Verkhovna Rada of Ukraine, 1993, No. 13, Art. 113; 2000, No. 46, Art. 398; 2007, No. 34, Art. 444) shall be read as follows:

“42) State Architectural and Construction Inspectorate of Ukraine and its territorial bodies”.

12. The Cabinet of Ministers of Ukraine shall:

1) submit to the Verkhovna Rada of Ukraine a draft law on personification of responsibility for negative consequences caused by violations of construction regulations, standards and rules in the process of design, expertise of projects and construction of city planning facilities within one month from the date of publication of this Law;

2) within three months of the introduction of this Law:

bring its regulatory acts in line with this Law;

ensure that ministries and other central executive local authorities review and cancel their regulatory acts contrary to this Law;

submit to the Verkhovna Rada of Ukraine a draft law on reducing the term of allotment of land plots for city planning needs to 60 days.

<b>President of Ukraine</b>	<b>V. YANUKOVYCH</b>
<b>City of Kyiv 17 February 2011 No. 3038-VI</b>	