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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

UKRAINE

LAW¹

**ON THE ORGANISATION OF COURTS
AND THE STATUS OF JUDGES**

¹ *Unofficial translation*



LAW OF UKRAINE

On the Organisation of Courts and the Status of Judges

(Vidomosti Verkhovnoi Rady (VVR), 2016, No. 31, col. 545)

{As amended by the Laws

[No. 1774-VIII of December 6, 2016](#), VVR, 2017, No. 2, col. 25
, [No. 1798-VIII of December 21, 2016](#), VVR, 2017, No. 7-8, col. 50
, [No. 2147 -VIII of October 3, 2017](#), VVR, 2017, No. 48, col. 436
, [No. 2509-VIII of July 12, 2018](#), VVR, 2018, No. 35, col. 267
, [No. 193-IX of October 16, 2019](#), VVR, 2019, No. 50, col. 354
, [No. 263-IX of October 31, 2019](#), VVR, 2020, No. 2, col. 5}

{On certain provisions having been ruled constitutional, see Decision of the Constitutional Court

[No. 2-r/2020 of February 18, 2020](#)}

{On certain provisions having been ruled unconstitutional, see Decision of the Constitutional Court

[No. 2-r/2020 of February 18, 2020](#)}

{On certain provisions having been ruled unconstitutional, see Decision of the Constitutional Court

[No. 4-r/2020 of March 11, 2020](#)}

{As amended by the Law

[No. 679-IX of June 4, 2020](#)}

{On the commencement date of the operation of the Unified Judicial Information and Telecommunication System, the words “Unified Judicial Information (Automated) System” and “Automated System” in all case forms in the text of the Law will be replaced by the words “Unified Judicial Information and Telecommunication System” in the appropriate case, as provided by the Law [No. 2147-VIII of October 3, 2017](#)}

This Law shall determine the organisation of the judiciary and the way of administration of justice in Ukraine, which shall operate on the basis of the rule of law in accordance with European standards and ensure the right of everyone to a fair trial.

Section I

FUNDAMENTALS OF THE ORGANISATION OF THE JUDICIARY

Article 1. The judiciary

1. In accordance with the constitutional principles of separation of powers, the judicial power in Ukraine shall be exercised by independent and impartial courts established by law.

2. The judicial power shall be exercised by judges and, in cases specified by law, by jurors through the administration of justice in the framework of appropriate judicial procedures.

Article 2. Duties of the court

1. In administering justice on the basis of the rule of law, the court shall guarantee everyone the right to a fair trial and ensure respect for other rights and freedoms guaranteed by the [Constitution](#) and laws of Ukraine, as well as international treaties approved as binding by the Verkhovna Rada of Ukraine.

Article 3. The organisation of courts in Ukraine

1. The courts of Ukraine shall form a single system.
2. The establishment of extraordinary and special courts shall not be allowed.

Article 4. Legislation on the organisation of courts and the status of judges

1. The organisation of courts and the status of judges in Ukraine shall be determined by [the Constitution of Ukraine](#) and law.
2. This Law may be amended only by-laws amending the Law of Ukraine “On the Organisation of Courts and the Status of Judges”.

Article 5. Administration of justice

1. Justice in Ukraine shall be administered only by courts and in accordance with the judicial procedures established by law.
2. Delegating functions of courts, as well as assigning these functions to other bodies or officials, shall not be allowed. Any person arrogating to himself/herself the functions of a court shall be held responsible as provided by law.
3. The people shall participate in the administration of justice through jurors.

Article 6. Independence of courts

1. In administering justice, courts shall be independent of any illegal influence. Courts shall administer justice on the basis of the [Constitution](#) and the laws of Ukraine and governed by the rule of law.
2. Any submissions to the court regarding the consideration of specific cases which are made by citizens, organisations or officials who, in accordance with the law, are not participants of the respective trial, shall not be considered by the court unless otherwise provided by law.
3. Interference with the administration of justice attempts to influence the court or judges in any way, contempt of court or judges, collection, storage, use and dissemination of information orally, in writing or otherwise in order to discredit the court or affect the impartiality of the court, calls for non-compliance with court decisions shall be prohibited and shall result in statutory sanctions.
4. Government and local self-government bodies, as well as their officials, shall refrain from statements and actions that may undermine the judicial independence.
5. A judicial self-government system shall operate in accordance with this Law to protect the professional interests of judges and resolve issues pertaining to internal operations of courts.

Article 7. The right to a fair trial

1. It shall be guaranteed to everyone that his/her rights, freedoms and interests are protected within a reasonable time by an independent, impartial and fair court established by law.
2. Foreigners, stateless persons and foreign juridical persons shall enjoy the right to judicial protection in Ukraine on an equal footing with citizens and juridical persons of Ukraine.
3. Accessibility of justice for every person shall be ensured in accordance with the [Constitution of Ukraine](#) and in the manner prescribed by the laws of Ukraine.

Article 8. The right to a competent court

1. No one may be deprived of the right to have his/her case heard by a court to whose jurisdiction it is assigned by procedural law.

2. The judge shall consider cases received by him/her in accordance with the procedure for the distribution of court cases established in the manner prescribed by law. The distribution of court cases between judges may not be influenced by the wishes of the judge or any other person.

Article 9. Equality before the law and the court

1. Justice in Ukraine shall be administered on the basis of equality of all trial participants before the law and the court, regardless of their race, colour, political, religious and other beliefs, gender, ethnic and social origin, wealth status, place of residence, language and other characteristics.

2. The court shall create such conditions under which each trial participant is guaranteed equality in the exercise of the procedural rights granted to him/her and in the performance of the procedural obligations defined by the procedural law.

Article 10. Professional legal assistance in exercising the right to a fair trial

1. Everyone shall have the right to professional legal assistance. In cases specified by law, the state shall provide professional legal assistance free of charge.

2. Everyone shall be free to choose a counsel to defend his/her rights and a person to provide legal assistance.

3. The bar shall exist to provide professional legal assistance. Exercising the right to criminal defence and representation in court shall be carried out by a member of the bar, except as provided by law.

4. Professional legal assistance expenses of trial participants shall be reimbursed in the manner prescribed by law.

Article 11. Publicity and openness of the trial

1. Court decisions, court hearings and information on cases considered by the court shall be open to the public, except in cases provided by law. The right to receive oral or written information from the court about the results of a court case to which one is a party may not be abridged. Any person shall be entitled to free access to court decisions in the manner prescribed by law.

2. Information about the court hearing the case, the parties to the dispute and the subject of the claim, the date of receipt of the statement of claim, appeal, cassation appeal, application for review of the court decision, stages of the case consideration, place, date and time of the hearing, transfer of the case from one court to another shall be open and must be promptly published on the official web portal of the judiciary of Ukraine, except as otherwise provided by law.

3. Cases shall be heard in an open court, except as provided by law. Any person shall have the right to be present at an open court hearing. If a person commits actions that indicate his/her contempt of court or trial participants, such a person may be removed from the courtroom by a reasoned court decision.

4. Persons present in the courtroom and members of the media may take photographs, make video and audio recordings in the courtroom using portable video and audio equipment without obtaining a separate court permit, but subject to restrictions established by law. A court hearing may be live-streamed with the permission of the court. If all trial participants participate in the court hearing by videoconference, the court hearing must be live-streamed on the Internet.

{Paragraph 1 of part 4, Article 11 as amended by the Law [No. 2147-VIII of October 3, 2017](#)}

Photographing and video recording in the courtroom, as well as live streaming of the court hearing, must be carried out so as not to create obstacles in the conduct of the hearing and the

exercise of their procedural rights by trial participants. The court may determine the location in the courtroom from which photographs are to be taken or video records made.

5. A case may be heard in a closed court according to a reasoned court decision and only where specified by law.

6. When hearing cases, the course of the trial shall be recorded by technical means in the manner prescribed by law.

7. On the basis of a court decision, trial participants shall be provided with the opportunity to participate in a court hearing by videoconference in the manner prescribed by law. The duty to provide for a videoconference rests with the court that received the court decision to hold the videoconference, regardless of the specialisation and level of the court that made such a decision.

8. Court hearings shall be held only on specially equipped court premises - in a courtroom, which shall be suitable for the parties and other participants in the trial and allow them to exercise their procedural rights and perform their procedural duties.

Article 12. The language of judicial proceedings and court records

1. In the courts of Ukraine, judicial proceedings shall be conducted and records kept in the state language.

2. Courts shall ensure equality of citizens' trial rights regardless of language.

3. Courts shall use the state language in judicial proceedings and guarantee the right of citizens to use in court their native language or the language they speak.

Article 13. The binding nature of court decisions

1. A court decision ending the consideration of a court case shall be made in the name of Ukraine.

2. Court decisions that have entered into force shall be binding on all government and local self-government bodies, their officials and employees, natural and juridical persons and their associations throughout Ukraine. The duty of other courts to take into account court decisions (prejudicial nature of such decisions) shall be determined by law.

3. Oversight over the execution of a court decision shall be exercised by the court within the powers granted to it by law.

4. Failure to comply with a court decision shall result in statutory sanctions.

5. Conclusions on the application of legal norms set forth in rulings of the Supreme Court shall be binding on all power holders who apply in their activities a legal act containing the relevant legal norm.

6. Conclusions on the application of legal norms set forth in rulings of the Supreme Court shall be taken into account by other courts when applying such legal norms.

{Part 6 of Article 13 as amended by the Law [No. 2147-VIII of October 3, 2017](#)}

7. Court decisions may not be rescinded by other bodies or persons outside judicial proceedings, except for amnesty and pardon decisions.

Government and local self-government bodies or their officials may not make decisions that overturn court decisions or suspend their execution.

8. Foreign court decisions, decisions of international arbitration tribunals, decisions of international judicial institutions and similar decisions of other international organisations on the settlement of disputes shall be binding on the territory of Ukraine under the conditions specified by law as well as in accordance with international treaties approved as binding by the Verkhovna Rada of Ukraine.

Article 14. The right to case review and appeal of the court decision

1. The participants in the case that is the subject of the trial and other persons have the right to an appellate review of the case and in cases specified by law, to a cassation appeal of the court decision.

{Part 1 of Article 14 as amended by the Law [No. 2147-VIII of October 3, 2017](#)}

Article 15. Membership of the court and appointment of its members

{[Amendments](#) to Article 15 will enter into force on the commencement date of the operation of the Unified Judicial Information and Telecommunication System – see clause 2 of § 2 of section 4 of the Law [No. 2147-VIII of October 3, 2017](#)}

1. Court cases shall be heard by a judge alone, and in cases determined by procedural law - by a panel of judges, as well as with the participation of jurors.

2. A judge who hears a case alone shall act as a court.

3. The Unified Judicial Information (Automated) System shall operate in the courts.

4. The assignment of a judge or a panel of judges to hear a specific case shall be carried out by the Unified Judicial Information (Automated) System in the manner prescribed by the procedural law.

5. Cases shall be distributed taking into account the specialisation of judges, the workload of each judge, the prohibition to participate in the review of decisions applying to a judge who participated in the court decision under review (except for the review due to newly discovered circumstances), leaves, absence due to temporary incapacitation, official business trips, as well as other cases provided by law which prevents a judge from administering justice or hearing court cases.

In courts located across several populated places, the distribution of cases shall take into account the location of judges' workplaces in the respective populated places, as well as the criteria established by law to determine the jurisdiction of the court.

{Part 5 of Article 15 was supplemented with paragraph 2 in accordance with the Law [No. 2509-VIII of July 12, 2018](#)}

6. If the case is heard with the participation of jurors, they shall be assigned by means of the Unified Judicial Information (Automated) System, except as otherwise provided by law.

7. Data on the results of the distribution shall be stored in the automated system and must be protected from unauthorised access and interference.

8. Unauthorised interference in the operation of the automated system and in the distribution of cases between judges, the perpetrators shall result in statutory sanctions.

9. The automated system shall not be used to assign a judge (a panel of judges, if the case is heard by one) to hear a particular case only in the event of circumstances that objectively prevent it from operating and last more than five business days. A special procedure for the distribution of court cases in such circumstances shall be provided by the Regulations on the Unified Judicial Information (Automated) System.

10. The Regulations on the Unified Judicial Information (Automated) System shall be approved by the High Council of Justice upon submission of the State Judicial Administration of Ukraine and after consultations with the Council of Judges of Ukraine.

{The Law is supplemented by Article 15¹, which shall enter into force on the commencement date of the operation of the Unified Judicial Information and Telecommunication System – see [clause 1](#) of § 2 of section 5 of the Law No. 2147-VIII of March 10, 2017. [For the text of Article 15-1](#), see the Law No. 2147-VIII of October 3, 2017}

Article 16. Symbols of the judiciary

1. The symbols of the judiciary shall be the state symbols of Ukraine - the Coat of Arms of Ukraine and the National Flag of Ukraine.

2. While administering justice, the judge shall wear a robe and a chain of office. Designs of the robe and the chain of office shall be approved by the Council of Judges of Ukraine.

3. As a government body, the court shall have a seal with the image of the Coat of Arms of Ukraine and its name.

Section II THE ORGANISATION OF COURTS

Chapter 1. Fundamentals of the organisation of courts

Article 17. The court system

1. The organisation of courts shall be built on the principles of territoriality, specialisation and tiered subordination.

2. The Supreme Court shall be the highest court in the court system.

3. The court system shall be constituted by:

- 1) local courts;
- 2) appellate courts;
- 3) the Supreme Court.

In accordance with this Law, high-specialised courts shall operate in the court system to hear certain categories of cases.

4. The unity of the court system shall be ensured by:

- 1) uniform principles of court organisation and operation;
- 2) a uniform status of judges;
- 3) the rules of court procedure defined by law being binding on all courts;
- 4) uniformity of case law;
- 5) obligatory compliance with court decisions on the territory of Ukraine;
- 6) a uniform procedure for organisational support of courts' operations;
- 7) courts being funded exclusively from the State Budget of Ukraine;
- 8) judicial self-government bodies resolving issues pertaining to internal operations of courts.

Article 18. Court specialisation

1. Courts shall specialise in civil, criminal, commercial, and administrative cases, as well as cases of administrative offences.

2. In cases prescribed by law, as well as by the decision of the conference of judges of the respective court, a system of judge specialisation in hearing specific categories of cases may be introduced.

3. In local general jurisdiction courts and appellate courts, a system of judge specialisation in conducting criminal proceedings against minors shall be introduced.

4. Judge(s) authorised to conduct criminal proceedings against minors shall be elected from among the judges of the respective court by the conference of judges of that court on the proposal of the chairperson of the court or on the proposal of any judge of that court, if the proposal of the chairperson of the court failed to find support, for a term not exceeding three years and may be re-elected.

5. The number of judges authorised to conduct criminal proceedings against minors shall be determined separately for each court by the conference of judges of that court.

6. To be eligible for election as a judge authorised to conduct criminal proceedings against minors, a judge must have at least ten years of judicial experience, some experience in criminal court proceedings and high moral, business and professional qualities. If there are no judges with the required length of service in the court, the judge authorised to conduct criminal proceedings against minors shall be elected from among the judges who have the longest length of service as a judge.

7. Judges authorised to conduct criminal proceedings against minors shall not be released of their duties as judges of the respective court tier, but their exercise of such powers shall be taken into account in the distribution of court cases and shall have priority.

Article 19. The procedure for establishment and disestablishment of courts

1. A court shall be established and disestablished by law.

2. The draft law on the establishment or disestablishment of a court shall be submitted to the Verkhovna Rada of Ukraine by the President of Ukraine after consultations with the High Council of Justice.

3. The location, territorial jurisdiction and status of the court shall be determined, taking into account the principles of territoriality, specialisation and tiered subordination.

4. The grounds for the establishment or disestablishment of a court shall be a change in the court system defined by this Law, the need to ensure the accessibility of justice, optimisation of state budget expenditures or a change in the administrative-territorial structure.

5. The establishment of a court may take place through the creation of a new court or the reorganisation (merger, division) of courts.

6. The number of judges in a court shall be determined by the State Judicial Administration of Ukraine in agreement with the High Council of Justice, taking into account the judicial workload and within the limits of expenditures specified in the State Budget of Ukraine for maintaining courts and paying judge salaries.

7. The maximum number of judges of the Supreme Court shall be established by this Law.

8. The court shall be a juridical person, except as otherwise provided by law.

Article 20. The procedure for the election of judges to administrative positions and their dismissal from these positions

1. Administrative positions in the court shall be the positions of the chairperson of the court and the deputy chairperson(s) of the court.

2. The chairperson of a local court, his/her deputy, the chairperson of the appellate court, his/her deputies, the chairperson of a high-specialised court, his/her deputies shall be elected to their positions by the conference of judges of the respective court from among the judges of that court.

3. The chairperson of a local court, his/her deputy, the chairperson of the appellate court, his/her deputies, the chairperson of a high-specialised court, his/her deputies shall be elected by the conference of judges by secret ballot by a majority of the judges of the respective court for a term of three years but not exceeding their term of office as a judge, in the manner prescribed by law.

4. The chairperson of a local court, his/her deputy, the chairperson of the appellate court, his/her deputies, the chairperson of a high-specialised court, his/her deputies may be dismissed early at the initiative of at least one-third of the total number of judges of the respective court by secret ballot by a vote of at least two-thirds of judges of that court.

5. The grounds for dismissal of a judge from an administrative position shall be his/her own request or continuing unsatisfactory performance of duties of the chairperson of the court or, respectively, deputy chairperson of the court, or systematic violations or one-time gross violation of the law in the performance of his/her duties.

6. A judge who has been dismissed early from an administrative position in a court (except for dismissal from an administrative position upon his/her own request) may not be elected to any administrative position in any court within two years from the date of such early dismissal.

7. Dismissal of a judge, termination of his/her powers as a judge, as well as the expiration of the term for which a judge has been elected to an administrative position in a court shall terminate his/her powers in an administrative position.

8. The Chairperson of the Supreme Court and his/her deputy shall be elected and dismissed by the Plenum of the Supreme Court in the manner prescribed by this Law.

9. No judge elected to an administrative position may hold the same administrative position of the respective court for more than two consecutive terms, except as otherwise provided by law.

10. In a court with more than ten judges, one deputy chairperson of the court may be elected, and in a court with more than thirty judges, no more than two deputy chairpersons may be elected.

11. No judge may be elected to an administrative position except in accordance with legal requirements.

12. Holding of an administrative position in a court by a judge shall not relieve him/her from exercising the powers of a judge of the respective court provided for by this Law.

Chapter 2. Local courts

Article 21. Types and membership of local courts

1. Local general jurisdiction courts shall be district courts, which shall be established in one or more raions or urban raions, or in a city, or in a raion(s) and a city (cities).

2. Local commercial courts shall be district commercial courts.

3. Local administrative courts shall be district administrative courts, as well as other courts determined by procedural law.

4. A local court shall consist of judges of a local court, from among whom the chairperson of the court and, in cases specified by law, deputy chairperson(s) of the court shall be appointed.

5. Investigating judge(s) shall be elected from among the judges of the local general court, who shall exercise the powers of judicial oversight over the respect for the rights, freedoms and interests of persons involved in criminal proceedings in the manner prescribed by procedural law.

6. The number of investigating judges shall be determined separately for each court by the conference of judges of that court.

7. Investigating judge(s) shall be elected by the conference of judges of that court on the proposal of the chairperson of the court or on the proposal of any judge of that court, if the proposal of the chairperson of the court failed to find support, for a term not exceeding three years and may be re-elected. Until the election of the investigating judge of the respective court, his/her powers shall be exercised by the oldest judge of that court.

8. An investigating judge shall not be released of his/her duties as a judge of the first instance, but his/her exercise of the powers of judicial oversight over the respect for the rights, freedoms and interests of persons involved in criminal proceedings shall be taken into account in the distribution of court cases and shall have priority.

Article 22. Powers of the local court

1. The local court shall be a court of the first instance and administer justice in the manner prescribed by procedural law.

2. Local general jurisdiction courts shall hear civil, criminal, administrative cases, as well as cases of administrative offences in cases and in the manner prescribed by procedural law.

3. Local commercial courts shall hear cases arising from commercial legal relations, as well as other cases assigned to their jurisdiction by law.

4. Local administrative courts shall hear cases of administrative jurisdiction (administrative cases).

5. The jurisdiction of local courts in respect of certain categories of cases, as well as the procedure for their hearing, shall be determined by law.

Article 23. The local court judge

1. The local court judge shall administer justice in the manner prescribed by procedural law, as well as exercise other powers determined by law.

Article 24. The chairperson of a local court.

The chairperson of a local court shall:

1) represent the court as a government body in its relations with other government and local self-government bodies, natural and juridical persons;

2) determine the administrative powers of the deputy chairperson of that local court;

3) monitor the operational efficiency of the court staff, agree to the appointments of the chief and deputy chief of the court staff, as well as submit proposals for rewarding the chief and deputy chief of the court staff with incentives or imposing disciplinary sanctions on them in accordance with law;

4) issue an appropriate order on the basis of an act appointing a judge to a position, transferring a judge, dismissing a judge, as well as in connection with the termination of a judge's powers;

5) notify the High Qualification Commission of Judges of Ukraine and the State Judicial Administration of Ukraine of vacant positions of judges in the court within three days from the date of their becoming vacant, as well as post this notification on the web portal of the judiciary;

6) ensure the execution of decisions taken by the conference of judges of the local court;

7) organise the maintenance of judicial statistics in the court and provision of information and analytical support to judges in order to improve the quality of judicial proceedings;

8) promote compliance with the requirements for in-service education of local court judges;

9) make proposals to the court conference on the number and personal composition of the investigative judges;

10) exercise other powers specified by law.

2. The chairperson of a local court shall issue orders and instructions on issues within his/her administrative powers.

3. In the absence of the chairperson of a local court, his/her administrative powers shall be exercised by one of the deputy chairpersons of the court as determined by the chairperson of the court, and in the absence of such determination, by the deputy chairperson of the court with a greater length of service as a judge, and in the absence of deputy chairpersons, by the judge of that court with a greater length of service as a judge.

Article 25. The deputy chairperson of a local court.

1. The deputy chairperson of a local court shall exercise the administrative powers assigned to him/her by the chairperson of the court.

Chapter 3. Appellate courts

Article 26. Types and membership of appellate courts

1. Appellate courts shall operate as courts of appeal and in cases prescribed by procedural law, as courts of the first instance, for civil, criminal, commercial, administrative cases, as well as cases of administrative offences.

2. Appellate courts for hearing civil and criminal cases as well as cases of administrative offences shall be the appellate courts which shall be established in appellate districts.

3. Appellate courts for hearing commercial cases and appellate courts for hearing cases of administrative offences shall be, respectively, the commercial appellate courts and appellate administrative courts which shall be established in respective appellate districts.

4. Judicial chambers may be established within an appellate court to hear certain categories of cases.

5. A judicial chamber shall be headed by the secretary of the judicial chamber, who shall be elected from among the judges of that court for a term of three years.

6. Decisions on the establishment of a judicial chamber, its membership, as well as on the election of the secretary of the judicial chamber shall be made by the conference of judges of the appellate court on the proposal of the chairperson of the court.

7. The secretary of a judicial chamber shall:

- 1) organise the work of the respective chamber;
- 2) monitor the analysis and summarization of case law in cases within the competence of the chamber;
- 3) inform the conference of judges of the appellate court about the work of the judicial chamber.

Article 27. Powers of the appellate court

1. The appellate court shall:

- 1) administer justice in the manner prescribed by procedural law;
- 2) analyse judicial statistics, study and summarise case law, inform the respective local courts, the Supreme Court about the results of case law summarisation;
- 3) provide methodological assistance to local courts in the application of legislation;
- 4) exercise other powers specified by law.

Article 28. The appellate court judge

1. To serve as an appellate court judge, a person must meet the requirements for candidates for judicial office, have his/her ability to administer justice in the appellate court confirmed by the results of a qualification assessment, and also meet at least one of the following requirements:

- 1) have served for at least five years as a judge;
- 2) have a degree in the field of law and at least seven years of experience of research work in the field of law;
- 3) have at least seven years of professional experience as a lawyer, including court representation and/or criminal defence;

{Clause 3 of part 1 of Article 28 as amended by the Law [No. 1798-VIII of December 21, 2016](#)}

4) have a total length of service (professional experience) in accordance with the requirements specified in clauses 1-3 of this part of at least seven years.

2. The appellate court judge shall administer justice in the manner prescribed by procedural law, as well as exercise other powers determined by law.

Article 29. The chairperson of an appellate court

1. The chairperson of an appellate court shall:

1) represent the court as a government body in its relations with other government and local self-government bodies, natural and juridical persons;

2) determine the administrative powers of the deputy chairpersons of that appellate court;

3) monitor the operational efficiency of the court staff, agree to the appointments of the chief and deputy chief of the court staff, submit proposals for rewarding the chief and deputy chief of the court staff with incentives or imposing disciplinary sanctions on them in accordance with law;

4) issue an appropriate order on the basis of an act appointing a judge to a position, transferring a judge, dismissing a judge, as well as in connection with the termination of a judge's powers;

5) notify the High Qualification Commission of Judges of Ukraine and the State Judicial Administration of Ukraine of vacant positions of judges in the appellate court within three days from the date of their becoming vacant, as well as post this notification on the web portal of the judiciary;

6) ensure the execution of decisions taken by the conference of judges of the appellate court;

7) organise the maintenance and analysis of judicial statistics, study and summarization of case law and provision of information and analytical support to judges in order to improve the quality of judicial proceedings;

8) promote compliance with the requirements for maintaining qualification and in-service education of appellate court judges;

9) exercise the powers of an investigating judge and appoint judge(s) from among the judges of the appellate court to exercise such powers in cases specified by procedural law;

10) exercise other powers specified by law.

2. The chairperson of an appellate court shall issue orders and instructions on issues within his/her administrative powers.

3. In the absence of the chairperson of an appellate court, his/her administrative powers shall be exercised by one of the deputy chairpersons of the court as determined by the chairperson of the court, and in the absence of such determination, by the deputy chairperson of the court with a greater length of service as a judge, and in the absence of deputy chairpersons, by the judge of that court with a greater length of service as a judge.

Article 30. The deputy chairperson of an appellate court

1. The deputy chairperson of an appellate court shall exercise the administrative powers assigned to him/her by the chairperson of the court.

Chapter 4. High-specialised courts**Article 31.** Types and membership of high-specialised courts

1. High specialised courts shall operate in the court system as courts of the first instance and courts of appeals to hear certain categories of cases.

{Part 1 of Article 31 as amended by the Law [No. 2147-VIII of October 3, 2017](#)}

2. There shall be the following high-specialised courts:

1) The High Intellectual Property Court;

2) The High Anti-Corruption Court.

3. High specialised courts shall hear cases assigned to their jurisdiction by law.

4. Judicial chambers for hearing certain categories of cases in the first instance may be established within a high-specialised court, and an appellate chamber shall be established within it for hearing cases in the appellate instance. The appellate chamber of a high-specialised court shall operate within it on the basis of institutional, organisational, personnel and financial autonomy. The number of judges in the appellate chamber of a high-specialised court shall be determined out of the total number of judges of that high-specialised court by the State Judicial Administration of Ukraine in agreement with the High Council of Justice.

{Part 4 of Article 31 as amended by the Law [No. 2147-VIII of October 3, 2017](#), and the Law [No. 2509-VIII of July 12, 2018](#)}

5. A judicial chamber for hearing certain categories of cases in the first instance shall be headed by the secretary of the judicial chamber, elected from among the judges of the respective chamber for a term of three years, and an appellate chamber shall be headed by the chairperson of the chamber, elected from among the judges of that chamber for a term of three years.

{Part 5 of Article 31 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

6. The secretary of a judicial chamber for hearing certain categories of cases in the first instance shall:

- 1) organise the work of the respective chamber;
- 2) monitor the analysis and summarization of case law in cases within the competence of the chamber;
- 3) inform the conference of judges of the respective high-specialised court about the work of the judicial chamber.

{Part 6 of Article 31 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

7. The chairperson of an appellate chamber shall:

- 1) exercise the powers provided for in clauses 1-3 of part 6 of this article;
- 2) represent the appellate chamber on the issues pertaining to its work before government and local self-government bodies, natural and juridical persons;
inform the conference of judges of the respective high-specialised court and the Supreme Court about the results of case law summarisation;
- 4) promote compliance with the requirements for maintaining qualification and in-service education of chamber judges;
- 5) monitor the operational efficiency of the independent structural unit that provides organisational support for the work of the appellate chamber, submit proposals for the appointment of the head of this unit and agree to his/her dismissal, submit proposals for rewarding him/her with incentives or imposing disciplinary sanctions on him/her in accordance with the law, agree on draft regulations for such structural unit and changes to these regulations;
- 6) agree on the draft budget of the high-specialised court in part pertaining to financing the appellate chamber's operations, as well as agree on the use of budget funds provided for the maintenance of the appellate chamber;
- 7) notify the High Qualification Commission of Judges of Ukraine and the State Judicial Administration of Ukraine of vacant positions of judges in the court within three days from the date of their becoming vacant, as well as post this notification on the web portal of the judiciary;
- 8) exercise other powers specified by law.

{Part 7 of Article 31 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

8. In the absence of the chairperson of the chamber for hearing cases in the appellate instance, his/her duties shall be performed by the judge of the chamber who has the longest length of service as a judge.

{Part 8 of Article 31 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

9. Decisions on the establishment and membership of judicial chambers for hearing certain categories of cases in the first instance and on the election of secretaries of these judicial chambers shall be taken by the conference of judges of the respective high-specialised court on the proposal of the chairperson of that court. The decision to elect the chairperson of an appellate chamber shall be taken by the conference of judges of that chamber by secret ballot and a majority vote of the judges of the appellate chamber.

{Part 8 of Article 31 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

Article 32. Powers of a high-specialised court

1. A high-specialised court shall:

1) administer justice as a court of first and appellate instance in cases and in the manner prescribed by procedural law;

{Clause 1 of part 1 of Article 32 as amended by the Law [No. 2147-VIII of October 3, 2017](#)}

2) analyse judicial statistics, study and summarise case law, inform the Supreme Court about the results of case law summarisation;

3) exercise other powers specified by law.

Article 33. A high specialised court judge

1. To serve as a High Intellectual Property Court judge, a person must meet the requirements for candidates for judicial office, have his/her ability to administer justice in the High Intellectual Property Court confirmed by the results of a qualification assessment, and also meet at least one of the following requirements:

1) have served for at least three years as a judge;

2) have at least five years of professional experience as a legal representative in intellectual property cases (patent attorney);

3) have at least five years of professional experience as a lawyer representing clients in court in intellectual property rights protection cases;

4) have a total length of service (professional experience) in accordance with the requirements specified in clauses 1-3 of this part of at least five years.

1. To serve as a High Anti-Corruption Court judge, a person must meet the requirements for candidates for judicial office, have his/her ability to administer justice in the High Anti-Corruption Court confirmed by the results of a qualification assessment, and also meet other requirements specified by law.

3. The high-specialised court judge shall administer justice in the manner prescribed by procedural law, as well as exercise other powers determined by law.

Article 34. The chairperson of a high-specialised court

The chairperson of a high-specialised court shall:

1) represent the court as a government body in its relations with other government and local self-government bodies, natural and juridical persons, as well as foreign courts and international organisations;

2) determine the administrative powers of the deputy chairpersons of that high-specialised court;

3) monitor the operational efficiency of the court staff, agree to the appointments of the chief and deputy chief of the court staff, submit proposals for rewarding the chief and deputy chief of the court staff with incentives or imposing disciplinary sanctions on them in accordance with law;

4) issue an appropriate order on the basis of an act appointing a judge to a position, transferring a judge, dismissing a judge, as well as in connection with the termination of a judge's powers;

5) notify the High Qualification Commission of Judges of Ukraine and the State Judicial Administration of Ukraine of vacant positions of judges in the court within three days from the date of their becoming vacant, as well as post this notification on the web portal of the judiciary;

6) ensure the execution of decisions taken by the conference of judges of the high-specialised court;

7) organise the maintenance and analysis of judicial statistics, study and summarization of case law and provision of information and analytical support to judges in order to improve the quality of judicial proceedings;

8) promote compliance with the requirements for maintaining qualification and in-service education of high-specialised court judges;

9) exercise other powers specified by law.

2. The chairperson of a higher specialised court shall issue orders and instructions on issues within his/her administrative powers.

3. In the absence of the chairperson of a high-specialised court, his/her administrative powers shall be exercised by one of the deputy chairpersons of the court as determined by the chairperson of the court, and in the absence of such determination, by the deputy chairperson of the court with a greater length of service as a judge, and in the absence of deputy chairpersons, by the judge of that court with a greater length of service as a judge.

Article 35. The deputy chairperson of a high-specialised court

1. The deputy chairperson of a high-specialised court shall exercise the administrative powers assigned to him/her by the chairperson of the court.

Chapter 5. The Supreme Court

Article 36. The Supreme Court as the highest court in the court system of Ukraine

1. The Supreme Court shall be the highest court in the court system of Ukraine, which shall ensure the stability and uniformity of case law in the manner and way prescribed by procedural law.

The Supreme Court shall:

1) administer justice as a court of cassation, and in cases prescribed by procedural law, also as a court of first and appellate instance, in the manner prescribed by procedural law;

2) perform an analysis of judicial statistics and summarization of case law;

3) provide opinions on draft legislative acts dealing with the court organisation, the court procedure, the status of judges, the execution of court decisions and other issues related to the functioning of the court system;

4) provide an opinion on the presence or absence of elements of treason or other crime in the acts of which the President of Ukraine is accused; make at the request of the Verkhovna Rada of Ukraine a written submission stating the inability of the President of Ukraine to exercise his/her powers due to his/her health status;

5) request the Constitutional Court of Ukraine to provide an opinion on the constitutionality of laws, other legal acts, as well as the official interpretation of the [Constitution of Ukraine](#);

6) ensure the uniform application of the rules of law by courts of different specialisations in the manner and way prescribed by procedural law;

7) provide appellate and local courts with methodological information on the issues of application of the law;

{Part 2 of Article 36 was supplemented with a new clause in accordance with the Law [No. 2509-VIII of July 12, 2018](#)}

8) exercise other powers specified by law.

Article 37. Membership and structure of the Supreme Court

1. *{Part 1 of Article 37 was declared unconstitutional according to the Decision of the Constitutional Court [No. 4-r/2020 of March 11, 2020](#)}* The Supreme Court shall consist of judges whose number may not exceed one hundred.

{Part 1 of Article 37 as amended by the Law [No. 193-IX of October 16, 2019](#)}

2. The following bodies shall operate within the Supreme Court:

- 1) the Grand Chamber of the Supreme Court;
- 2) the Administrative Cassation Court;
- 3) The Commercial Cassation Court;
- 4) the Criminal Cassation Court;
- 5) the Civil Cassation Court;

3. Each cassation court shall consist of judges of the appropriate specialisation.

4. Judicial chambers shall be established in each cassation court to hear certain categories of cases, taking into account the specialisation of judges.

The number and specialisation of judicial chambers shall be determined by a decision of the conference of judges of the Court of Cassation, taking into account the requirements of parts 5 and 6 of this article and the court's workload.

5. In any case, separate chambers must be established in the Administrative Cassation Court to hear cases concerning:

- 1) taxes, fees and other obligatory payments;
- 2) protection of social rights;
- 3) electoral process and referendum, as well as protection of citizens' political rights.

6. In any case, separate chambers must be established in the Commercial Cassation Court to hear cases concerning:

- 1) bankruptcy;
- 2) protection of intellectual property rights, as well as those related to antitrust and competition law;
- 3) corporate disputes, corporate rights and securities.

7. Other chambers shall be established in the cassation courts by a decision of the conference of judges of the respective cassation court.

8. The Plenum of the Supreme Court shall operate in the Supreme Court to resolve issues assigned to it by the [Constitution of Ukraine](#) and this Law. The membership and procedure of the Plenum of the Supreme Court shall be determined by this Law.

Article 38. The Supreme Court judge

1. To serve as a Supreme Court judge, a person must meet the requirements for candidates for judicial office, have his/her ability to administer justice in the Supreme Court confirmed by the results of a qualification assessment, and also meet at least one of the following requirements:

- 1) have served for at least ten years as a judge;

2) have a degree in the field of law and at least ten years of experience of research work in the field of law;

3) have at least ten years of professional experience as a lawyer, including court representation and/or criminal defence;

{Clause 3 of part 1 of Article 38 as amended by the Law [No. 1798-VIII of December 21, 2016](#)}

4) have a total length of service (professional experience) in accordance with the requirements specified in clauses 1-3 of this part of at least ten years.

2. The Supreme Court judge shall:

1) administer justice in the manner prescribed by procedural law;

2) participate in consideration of issues submitted to the session of the Plenum of the Supreme Court;

3) analyse case law and participate in its summarization;

4) participate in consideration of issues submitted to the conference of judges of the respective court of cassation and exercise other powers specified by law.

Article 39. The Chairperson of the Supreme Court

1. The Supreme Court shall be headed by the Chairperson of the Supreme Court, who shall be elected and dismissed by secret ballot by the Plenum of the Supreme Court from among the judges of the Supreme Court in the manner prescribed by this Law.

2. The Chairperson of the Supreme Court shall:

1) represent the Supreme Court as the highest court in the court system of Ukraine in its relations with other government and local self-government bodies, natural and juridical persons, as well as foreign courts and international organisations;

2) determine the administrative powers of the Deputy Chairperson of the Supreme Court;

3) convene the Plenum of the Supreme Court; submit for consideration of the Plenum a proposal for election to the position of the secretary of the Plenum; submit issues for consideration of the Plenum and preside over its sessions;

4) monitor the operational efficiency of the Supreme Court staff, agree to the appointments of the chief and first deputy chief of the court staff, submit proposals for rewarding the chief and first deputy chief of the court staff with incentives or imposing disciplinary sanctions on them in accordance with law;

{Clause 4 of part 2 of Article 39 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

5) inform the Plenum of the Supreme Court on the work of the Supreme Court;

6) exercise other powers specified by law.

3. The Chairperson of the Supreme Court shall issue orders and instructions on issues within his/her administrative powers.

4. The Chairperson of the Supreme Court shall be an ex officio member of the High Council of Justice.

5. In the absence of the Chairperson of the Supreme Court, his/her administrative powers shall be exercised by the Deputy Chairperson of the Supreme Court. In the absence of the Deputy Chairperson of the Supreme Court, the administrative powers of the Chairperson of the Supreme Court shall be exercised by the judge of the Supreme Court with a greater length of service as a judge of the Supreme Court.

Article 40. Procedure for electing the Chairperson of the Supreme Court

1. The Plenum of the Supreme Court shall elect the Chairperson of the Supreme Court to office and dismiss him/her from office by a majority vote of the entire membership of the Plenum by secret ballot.

2. The Chairperson of the Supreme Court shall be elected from among the judges of the Supreme Court for a term of four years and for no more than two consecutive terms in the office of the Chairperson of the Supreme Court.

3. The Chairperson of the Supreme Court may not simultaneously hold any other administrative position.

4. The Plenum of the Supreme Court shall be convened to elect the Chairperson of the Supreme Court not later than one month from the date of termination of the powers of the previous Chairperson of the Supreme Court.

5. Dismissal of a Supreme Court judge, termination of his/her powers, or expiration of the term for which a judge was elected Chairperson of the Supreme Court shall terminate his/her powers as the Chairperson of the Supreme Court.

6. The powers of the Chairperson of the Supreme Court shall also be terminated early if a motion of no confidence in him/her passes in the Plenum of the Supreme Court.

7. The procedure for electing the Chairperson of the Supreme Court to office and dismissing him/her from office shall be prescribed by the [Rules of Procedure of the Plenum of the Supreme Court](#) which shall be approved by the Plenum. The procedure prescribed by the Rules may not be altered less than six months before the expiration of the term of office of the Chairperson of the Supreme Court.

Article 41. Procedure for early dismissal from office of the Chairperson of the Supreme Court

1. The Chairperson of the Supreme Court may be dismissed early on the grounds established by law.

2. The procedure for early termination of the powers of the Chairperson of the Supreme Court as a result of a vote of no confidence in him/her by the Plenum of the Supreme Court shall be determined exclusively by this Article. The [Rules of Procedure of the Plenum of the Supreme Court](#) shall not apply to this procedure.

3. The issue of expressing no confidence in the Chairperson of the Supreme Court shall be considered by the Plenum of the Supreme Court upon signed submission of at least one-third of the members of the Plenum of the Supreme Court. The submission must be reasoned.

4. To hold a session of the Plenum of the Supreme Court on the issue of expressing no confidence in the Chairperson of the Supreme Court, the judges specified in part 3 of this article shall establish an organising committee, appoint its chairperson and deputy chairperson, and draw up a record of it.

5. The organising committee shall ensure that a session of the Plenum of the Supreme Court on the issue of expressing no confidence in the Chairperson of the Supreme Court is prepared and held within twenty days from the date of its establishment. Attendees of the session of Plenum of the Supreme Court shall be notified by the organising committee of the day and time when the Plenum of the Supreme Court is to be convened and the issue submitted for its consideration, with the relevant materials sent to them in the manner prescribed by this Law. It shall be prohibited to put other issues on the agenda of such session of the Plenum of the Supreme Court, except for expressing no confidence in the Chairperson of the Supreme Court.

6. The Plenum of the Supreme Court shall be competent to consider the issue of expressing no confidence in the Chairperson of the Supreme Court provided that more than half of the judges who are members of the Plenum of the Supreme Court are present. The session of the Plenum of the Supreme Court shall be presided over by the chairperson of the organising committee, and in his/her absence, by the deputy chairperson of the organising committee.

7. The presiding officer shall submit for approval to the Plenum of the Supreme Court proposals on the secretary of the session of the Plenum of the Supreme Court, the membership of the counting commission, as well as the forms of the ballot and the voting record, which shall be approved by an open vote.

8. The issue of expressing no confidence in the Chairperson of the Supreme Court may be considered with or without the participation of the Chairperson of the Supreme Court. The Chairperson of the Supreme Court may also provide written explanations on the essence of the issues raised, which shall be presented by him/her or his/her authorised representative at the session of the Plenum of the Supreme Court.

9. The organising committee shall take into account the requirements of this Law, determine the procedure for holding the session and the voting procedure and shall exercise control over their observance.

10. A decision to express no confidence in the Chairperson of the Supreme Court shall be taken by secret ballot by a majority of the members of the Plenum of the Supreme Court.

11. The decision to express no confidence in the Chairperson of the Supreme Court shall be formalised as a Resolution of the Plenum of the Supreme Court, signed by the presiding officer and the secretary of the session who shall be elected by the Plenum of the Supreme Court on the proposal of the presiding officer.

12. A vote of no confidence in the Chairperson of the Supreme Court shall not deprive him/her of his/her powers as a judge of the Supreme Court. In case of early termination of the powers of the Chairperson of the Supreme Court, the election of the Chairperson of the Supreme Court shall be carried out in the manner prescribed by this Law.

13. The issue of no confidence in the Chairperson of the Supreme Court may not be initiated again within one year from the date of its consideration at a session of the Plenum of the Supreme Court.

14. The procedure for dismissal of the Chairperson of the Supreme Court from office on grounds other than those related to the expression of no confidence in him/her by the Plenum of the Supreme Court shall be determined by law and the [Rules of Procedure of the Plenum of the Supreme Court](#).

Article 42. The chairperson of a cassation court

1. A cassation court shall be headed by its chairperson.

2. The chairperson of a cassation court shall be elected by secret ballot by the conference of judges of the respective cassation court from among the judges of that court.

2. The chairperson of a cassation court shall be elected for a term of four years and for no more than two consecutive terms in the office of the chairperson of the respective cassation court.

4. The chairperson of a cassation court may be dismissed early at the initiative of at least one-third of the total number of judges of the respective cassation court by secret ballot and a majority vote of judges of the respective cassation court.

5. Dismissal of a judge, termination of his/her powers, or expiration of the term for which a judge was elected chairperson of the respective cassation court shall terminate his/her powers as the chairperson of that court.

The chairperson of a cassation court shall:

1) represent the cassation court before government and local self-government bodies, natural and juridical persons on the matters pertaining to the work of that court;

2) determine the administrative powers of the deputy chairpersons of that cassation court;

3) monitor the operational efficiency of the structural unit of the Supreme Court staff that provides organisational support to the respective cassation court, agree to the appointment and

dismissal of the chief of that unit which is also the first deputy chief of the Supreme Court staff, submit proposals for rewarding him/her with incentives or imposing disciplinary sanctions on him/her in accordance with law;

4) notify the High Qualification Commission of Judges of Ukraine and the State Judicial Administration of Ukraine of vacant positions of judges in the cassation court within three days from the date of their becoming vacant, as well as post this notification on the web portal of the judiciary;

5) convene the conference of judges of the cassation court; submit issues for consideration of the conference and preside over its sessions;

6) inform the conference of judges of the cassation court about the state of justice in the relevant judicial specialisation and the case law in certain categories of cases;

7) ensure the execution of decisions taken by the conference of judges of the cassation court;

8) organise the maintenance and analysis of judicial statistics in the cassation court, study of case law and provision of information and analytical support to judges in order to improve the quality of judicial proceedings;

8) promote compliance with the requirements for maintaining qualification and in-service education of cassation court judges;

10) exercise other powers specified by law.

7. The chairperson of a cassation court shall issue orders and instructions on issues within his/her administrative powers.

3. In the absence of the chairperson of a cassation court, his/her administrative powers shall be exercised by one of the deputy chairpersons of the cassation court as determined by the chairperson of the cassation court, and in the absence of such determination, by the deputy chairperson of the cassation court with a greater length of service as a judge, and in the absence of deputy chairpersons of the cassation court, by the judge of that court with a greater length of service as a judge.

9. The deputy chairperson of a cassation court shall exercise the administrative powers assigned to him/her by the chairperson of the cassation court.

Article 43. The Deputy Chairperson of the Supreme Court, the deputy chairperson of a cassation court

1. The Plenum of the Supreme Court may elect a Deputy Chairperson of the Supreme Court on the proposal of the Chairperson of the Supreme Court.

The Deputy Chairperson of the Supreme Court shall be elected for a term of four years and dismissed by the Plenum of the Supreme Court. The decision on his/her election to and dismissal from office shall be taken by a majority vote of the entire membership of the Plenum of the Supreme Court by secret ballot.

The Deputy Chairperson of the Supreme Court may be dismissed early in the manner prescribed by the [Rules of Procedure of the Plenum of the Supreme Court](#).

2. Dismissal of a judge, termination of his/her powers, or expiration of the term for which a judge was elected Deputy Chairperson of the Supreme Court shall terminate his/her powers as the Deputy Chairperson of the Supreme Court.

3. The conference of judges of a cassation court may elect the deputy chairperson of a cassation court. The deputy chairperson of a cassation court shall be elected for a term of four years on the proposal of the chairperson of the cassation court from among the secretaries of the chambers of the respective cassation court and dismissed by the conference of judges of that cassation court.

The decision on election to and dismissal from office of the deputy chairperson of a cassation court shall be taken by a majority vote of judges of the respective cassation court by secret ballot.

4. The deputy chairperson of a cassation court may be dismissed early on the proposal of the chairperson or at least one-third of the total number of judges of the respective cassation court by secret ballot and a majority vote of judges of the respective cassation court.

5. Dismissal of a judge, termination of his/her powers, expiration of the term for which the judge was elected deputy chairperson of the respective cassation court, or termination of his/her powers as the secretary of a judicial chamber shall terminate his/her powers as the deputy chairperson of that court.

Article 44. Judicial chambers of a cassation court

1. Judicial chambers of a cassation court shall:

- 1) administer justice in the manner prescribed by procedural law;
- 2) analyse judicial statistics and study case law;
- 3) exercise other powers specified by law.

Membership and number of judges in judicial chambers shall be determined by the conference of judges of the respective cassation court.

3. The judicial chamber shall be headed by the secretary of the judicial chamber, who shall:

- 1) organise the work of the respective judicial chamber and preside over its sessions;
- 2) organise the analysis of judicial statistics and study of case law;
- 3) inform the conference of judges of the cassation court about the work of the judicial chamber;
- 4) exercise other powers specified by law.

4. The secretary of a judicial chamber shall be elected to office for a term of four years and dismissed from office by a majority vote of the judges of the respective judicial chamber by secret ballot.

5. In the absence of the secretary of the judicial chamber, his/her duties shall be performed by the judge of the chamber who has the longest length of service as a judge of the respective cassation court.

Article 45. The Grand Chamber of the Supreme Court

1. The Grand Chamber of the Supreme Court shall be a permanent collegial body of the Supreme Court composed of twenty-one Supreme Court judges.

2. The Grand Chamber of the Supreme Court shall:

1) in cases specified by law, review court decisions in cassation in order to ensure uniform application of the law by courts;

{Clause 1 of part 2 of Article 45 as amended by the Law [No. 2147-VIII of October 3, 2017](#)}

2) act as a court of appellate instance in cases heard by the Supreme Court as a court of the first instance;

- 3) analyse judicial statistics and study case law, summarise case law;
- 4) exercise other powers specified by law.

3. Supreme Court judges shall be elected to the Grand Chamber by conferences of judges of the respective cassation courts from among the judges of such cassation courts.

4. Each cassation court within the Supreme Court shall elect five judges to the Grand Chamber of the Supreme Court. Apart from them, the Chairperson of the Supreme Court shall be an ex officio member of the Grand Chamber of the Supreme Court.

5. Having been elected to the Grand Chamber, a Supreme Court judge shall exercise powers as a judge of the Grand Chamber of the Supreme Court for three years (except for the Chairperson of the Supreme Court), but for no more than two consecutive terms.

Neither Supreme Court judge who has been elected to the Grand Chamber nor the Chairperson of the Supreme Court shall administer justice in the respective cassation court.

A Supreme Court judge who has been elected to the Grand Chamber may not be elected to any administrative positions apart from the position of the Secretary of the Grand Chamber of the Supreme Court.

8. The Secretary of the Grand Chamber of the Supreme Court shall be elected from among the judges of the Grand Chamber for a term of three years and shall be dismissed from office by the Grand Chamber by secret ballot and a majority vote.

5. Dismissal of a judge, termination of his/her powers, expiration of the term for which the judge was elected Secretary of the Grand Chamber of the Supreme Court or to the Grand Chamber, shall terminate his/her powers as the Secretary of the Grand Chamber of the Supreme Court.

10. The Secretary of the Grand Chamber shall:

- 1) organise the work of the Grand Chamber and preside over its plenary sessions;
- 2) organise the analysis of judicial statistics, study and summarization of case law;
- 3) inform the Plenum of the Supreme Court about the work of the Grand Chamber;
- 4) exercise other powers specified by law.

11. A session of the Grand Chamber of the Supreme Court shall be deemed quorate if at least two-thirds of its members are present.

Article 46. The Plenum of the Supreme Court

1. The Plenum of the Supreme Court shall be a collegial body composed of all judges of the Supreme Court.

2. The Plenum of the Supreme Court shall:

1) elect to and dismiss from office the Chairperson and the Deputy Chairperson of the Supreme Court in the manner prescribed by this Law;

2) elect the secretary of the Plenum of the Supreme Court from among the judges of the Supreme Court on the proposal of the Chairperson of the Supreme Court and relieve him/her from performing these duties;

3) hear reports of the Chairperson of the Supreme Court on its work and reports of the Secretary of the Grand Chamber of the Supreme Court on the work of the Chamber;

4) provide opinions on draft legislative acts dealing with the court organisation, the court procedure, the status of judges, the execution of court decisions and other issues related to the functioning of the court system of Ukraine;

5) make decisions to request the Constitutional Court of Ukraine to provide an opinion on the constitutionality of laws and other legal acts, as well as the official interpretation of the [Constitution of Ukraine](#);

6) provide an opinion on the presence or absence of elements of treason or other crime in the acts of which the President of Ukraine is accused; make at the request of the Verkhovna Rada of Ukraine a written submission stating the inability of the President of Ukraine to exercise his/her powers due to his/her health status;

7) approve the [Rules of Procedure of the Plenum of the Supreme Court](#);

8) approve the Regulations on the Scientific Advisory Board at the Supreme Court and appoint its members;

9) appoint the members of the editorial board of the Supreme Court's official publication;

10) approve the budget request of the Supreme Court;

10¹) summarise the practice of application of substantive and procedural law, systematise and ensure the publication of legal positions of the Supreme Court with reference to court decisions in which they were formulated, so as to ensure uniform application of legal norms in resolving certain categories of cases;

{Part 2 of Article 46 was supplemented with clause 10¹ in accordance with the Law [No. 2147-VIII of 10.03.2017](#)}

10²) based on the results of the analysis of judicial statistics and summarization of case law, provide advisory opinions on the application of legislation in resolving court cases;

{Part 2 of Article 46 was supplemented with clause 10² in accordance with the Law [No. 2147-VIII of 10.03.2017](#)}

11) consider and resolve other matters which it is empowered to by law.

3. A session of the Plenum of the Supreme Court shall be deemed quorate if at least two-thirds of the Plenum's members are present, except as otherwise provided in this Law.

4. Representatives of government bodies, scientific institutions, non-government organisations, members of the media and other persons may be invited to the Plenum's session.

5. The Plenum of the Supreme Court shall be convened by the Chairperson of the Supreme Court as needed or at the request of at least one-quarter of the judges of the Supreme Court, but at least once every three months. In the absence of the Chairperson of the Supreme Court, the Plenum shall be convened by the Deputy Chairperson of the Supreme Court.

6. The participants of the Plenum's session shall be notified of the day and time when the Plenum of the Supreme Court is to be convened and the issues submitted for its consideration no later than five business days before the session. Supporting documentation on issues submitted for the Plenum's consideration shall be sent out within the same timeframe.

7. The Chairperson of the Supreme Court shall preside over the session of the Plenum. In the absence of the Chairperson of the Supreme Court, the Deputy Chairperson of the Supreme Court shall preside over the session of the Plenum.

8. The procedure of the Plenum of the Supreme Court shall be established by this Law and the [Rules of Procedure of the Plenum of the Supreme Court](#) adopted in accordance with it.

9. The Plenum of the Supreme Court shall adopt resolutions on the issues it considered. Resolutions of the Plenum of the Supreme Court shall be signed by the presiding officer and the secretary of the Plenum, published in the official publication and posted on the website of the Supreme Court.

10. The secretary of the Plenum of the Supreme Court shall organise the work of the secretariat of the Plenum, prepare the sessions of the Plenum, ensure that minutes are kept and monitor the implementation of resolutions adopted by the Plenum of the Supreme Court.

11. Special procedures for holding sessions of the Plenum of the Supreme Court to consider certain issues, including the convening procedure, the quorum of the session, the operating procedure, the voting procedure, and the procedure for decision-making and signing of resolutions adopted by the Plenum of the Supreme Court shall be established by law.

Article 47. The Scientific Advisory Board and the official publication of the Supreme Court

1. The Scientific Advisory Board shall be established at the Supreme Court from among highly qualified specialists in the field of law to prepare scientific opinions on those issues arising in the work of the Supreme Court that requires scientific support to resolve.

2. The procedure for the organisation and work of the Scientific Advisory Board shall be determined by regulations approved by the Plenum of the Supreme Court.

3. The Supreme Court shall have an official publication in which the case-law of the Supreme Court and other materials shall be published. The official publication may be issued electronically.

Section III JUDGES AND JURORS

Chapter 1. General provisions on the status of the judge

Article 48. Judicial independence

1. In his/her administration of justice, the judge shall be independent of any unlawful influence, pressure or interference.

2. The judge shall administer justice on the basis of the [Constitution](#) and laws of Ukraine while guided by the principle of the rule of law. Interference in the judge's administration of justice shall be prohibited and result in statutory sanctions.

3. The judge shall not be obliged to provide any explanations on the essence of cases pending before him/her, except as otherwise provided by law.

4. The judge shall be obliged to notify the High Council of Justice and the Prosecutor General of any interference with his/her administration of justice as a judge.

5. Judicial independence shall be ensured by:

1) a special procedure for his/her appointment, prosecution, dismissal and termination of his/her powers;

2) the legal immunity of the judge;

3) the irremovability of the judge;

4) the procedure for the administration of justice which is determined by the procedural law, the secrecy of judges' chambers;

5) the prohibition of interference in the administration of justice;

6) the sanctions for contempt of court or judge;

7) a special procedure for financing and organisational support of the courts which is established by law;

8) the proper compensation and social security of the judge;

9) operation of judicial administration and self-government bodies;

10) the means of ensuring the personal security of the judge, his/her family and assets, as well as other means of their legal protection as determined by law;

11) the right of the judge to resign.

6. Government and local self-government bodies, their officials and employees as well as natural and juridical persons and their associations shall be obliged to respect judicial independence and not to infringe it.

7. When enacting new or amending existing laws, it shall be prohibited to narrow the content and scope of the guarantees of the independence of the judge provided in the [Constitution of Ukraine](#) and law.

Article 49. Judicial immunity

1. The judge shall be immune from detention or arrest. A judge may not be detained or kept in custody or under arrest without the consent of the High Council of Justice before a sentence is passed against him/her by the court, with the exception of detention of a judge during or immediately after committing a grave or especially grave crime.

A judge may not be held liable for a court decision made by him/her, except for the commission of a crime or a disciplinary misdemeanour.

2. A judge detained under suspicion of having committed a criminal or administrative offence shall be released immediately after he/she is identified unless any of the following applies:

1) if the High Council of Justice provided its consent for the detention of the judge because of this offence;

2) the detention of the judge occurred during the commission of a grave or an especially grave crime or immediately after such a crime was committed if such detention was necessary to prevent a crime, prevent or preclude the consequences of the crime from occurring or ensure the preservation of the evidence of that crime.

3. A judge may not be subjected to an attachment or forcibly taken to any body or institution other than a court, except as provided in part two of this article.

4. A judge may be notified of a suspicion of a criminal offence only by the Prosecutor General or his/her deputy.

5. A judge may be temporarily suspended from the administration of justice for a period not exceeding two months in connection with criminal prosecution on the basis of a reasoned request by the Prosecutor General or his/her deputy, submitted in the manner prescribed by law. The decision on a temporary suspension of a judge from the administration of justice shall be adopted by the High Council of Justice.

6. An extension of temporary suspension of a judge from the administration of justice in connection with criminal prosecution shall be carried out in the same manner for a period not exceeding two months. A request for an extension of such suspension of a judge from the administration of justice shall be submitted by the Prosecutor General or his/her deputy no later than ten days before the expiration of the term for which the judge was suspended. The requirements which shall be met by request to suspend a judge from the administration of justice in connection with criminal prosecution shall be established by procedural law.

7. In the event that the body hearing disciplinary cases against judges decides to impose a disciplinary sanction on a judge in the form of a request to dismiss a judge from office, such judge shall be automatically suspended from the administration of justice until the decision on his/her dismissal from office is made by the High Council of Justice.

8. A judge shall be deprived of the right to receive supplemental payments to the basic salary of a judge for the period of temporary suspension from the administration of justice.

9. Operational inquiry measures or investigative actions against a judge, which may be carried out only with the permission of the court, shall be carried out on the basis of a court decision adopted at the request of the Prosecutor General or his/her deputy, or the head of a regional prosecutor's office or his/her deputy.

10. Neither a criminal proceeding involving a judge being accused of a criminal offence nor a decision to carry out operational inquiry measures or investigative actions against a judge may be conducted or taken by a court in which the accused is serving or has served as a judge.

If in accordance with the general rules for determining jurisdiction, a criminal proceeding against a judge must be conducted, or a decision to carry out operational inquiry measures or investigative actions or apply measures of restraint against a judge must be taken by a court in which the accused is serving or has served as a judge, the criminal proceeding shall be conducted, or the decision to carry out operational inquiry measures or investigative actions or apply measures of restraint against a judge shall be taken instead by the court closest to the court in which the accused has served as a judge but located in another administrative-territorial

unit (the Autonomous Republic of Crimea, an oblast, the city of Kyiv or the city of Sevastopol), except as otherwise provided by procedural law.

{Paragraph 2 of part 8 of Article 49 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

11. The state shall be liable for any damage caused by a court on the grounds and in the manner prescribed by law.

Article 50. Sanctions for contempt of court or judge

1. A manifestation of contempt of court or judge by persons who participate in a court proceeding or are present at a court hearing shall result in statutory sanctions.

Article 51. Judge's certificate

1. Judges, chairperson of courts and their deputies, and retired judges shall be issued certificates, designs of which shall be approved by the Council of Judges of Ukraine.

2. Certificates of a judge, chairperson of a court, deputy chairperson of a court, and a retired judge shall be signed by the President of Ukraine.

3. Certificates of the Chairperson of the Supreme Court and the Deputy Chairperson of the Supreme Court shall be signed by the secretary of the Plenum of the Supreme Court.

4. A certificate shall be presented by the person who signed it or by another person acting on his/her behalf.

Chapter 2. Judge

Article 52. Status of a judge

1. A judge shall be a citizen of Ukraine who, in accordance with the [Constitution of Ukraine](#) and this Law, has been appointed a judge, holds a full-time judicial office in one of the courts of Ukraine and administers justice on a professional basis.

2. All judges in Ukraine shall have a uniform status regardless of the place of the court in the court system or the administrative position that a judge holds in a court.

Article 53. Irremovability of a judge

1. A judge shall hold office as a judge until he/she reaches the age of sixty-five, except in cases of dismissal of a judge or termination of his/her powers in accordance with the [Constitution of Ukraine](#) and this Law.

2. No judge may be transferred to another court without his/her consent, except for the transfer:

- 1) in case of reorganisation, disestablishment or termination of the operations of a court;
- 2) by way of a disciplinary sanction.

Article 54. Incompatibility requirements

1. Holding office as a judge shall be incompatible with holding office in any other government or local self-government body or a representative mandate. Holding office as a judge shall also be incompatible with any existing restriction on holding offices that are subject to cleansing under the procedures established by the [Law of Ukraine](#) "On Government Cleansing".

2. A judge may not combine his/her service with acting as an entrepreneur or lawyer, holding any other paid positions, performing other paid work (except that of teaching, scientific or creative character), as well as be a member of the governing body or supervisory board of a for-profit enterprise or organisation.

3. Persons who hold shares or have other corporate rights, property rights or ownership interests in any for-profit juridical person shall be obliged to place such shares (corporate rights) or other relevant rights under the management of an independent third party for the duration of

their service as a judge (without the right of instructing that party on the management of the shares or corporate or other rights or the exercise of associated rights). A judge may receive interest, dividends or other passive income from his/her own assets.

4. A judge may not belong to a political party or trade union, show support for them, participate in political events, rallies, or strikes. While in office, a judge may not be a candidate for elected positions in government (except for the judiciary) and local government bodies, as well as participate in election campaigning.

5. In case a judge is appointed a member of the High Council of Justice or the High Qualification Commission of Judges of Ukraine, he/she shall be seconded to these bodies on a permanent basis. Judges who are members of these bodies shall keep the compensation, social and household support provided to judges by the legislation.

6. On his/her request, a judge may be seconded to work at the National School of Judges of Ukraine, and a judge elected as chairperson or deputy chairperson of the Council of Judges of Ukraine may be seconded to the Council of Judges of Ukraine while retaining the judge's remuneration and statutory supplementary payments at the main place of work.

7. A judge must comply with the incompatibility requirements set out in corruption prevention legislation. Being second to the High Council of Justice, the High Qualification Commission of Judges of Ukraine, the National School of Judges of Ukraine, or the Council of Judges of Ukraine shall not consider part-time work.

Article 55. Secondment as a temporary transfer of a judge to another court of the same tier and specialisation

1. Due to the impossibility of administering justice in the respective court, the detection of an excessive level of judicial workload in the respective court, the termination of the court's operations due to natural disasters, armed conflict, counter-terrorism measures or other emergencies, a judge may, with his/her consent and by a decision of the High Council of Justice adopted on the basis of the submission of the High Qualification Commission of Judges of Ukraine, be seconded to another court of the same tier and specialisation for the administration of justice.

2. A judge shall be seconded to another court of the same tier and specialisation for a period determined by the High Council of Justice, but not exceeding one year, except as otherwise provided in the second paragraph of this part.

If the circumstances that were the grounds for the judge's secondment continue to exist, the High Council of Justice shall, at the request of the chairperson of the court to which the judge is seconded, and with the consent of such a judge, extend the secondment for a term not exceeding one year. The total duration of the secondment may not exceed two years.

The High Council of Justice may, on the basis of a submission of the High Qualification Commission of Judges of Ukraine, decide to terminate a judge's secondment early, if the circumstances that were the grounds for the judge's secondment have ceased to exist, and the judge shall be notified of that decision.

A judge whose secondment has ended or in respect of whom the High Council of Justice has decided to terminate the secondment early shall return to work in the court from which he/she was seconded. In such a case, the appointment of a new judge (panel of judges) to consider cases that were assigned to the seconded judge and have not been considered by him/her on the merits shall be carried out by the Unified Judicial Information and Telecommunication System in the manner prescribed by procedural law.

{Part 2 of Article 55 as amended by the Law [No. 679-IX of June 4, 2020](#)}

3. In the event of the termination of a court's operations due to natural disasters, armed conflict, counter-terrorism measures or other emergencies, a judge who has been seconded from such a court shall be transferred to a permanent place of employment until the end of the secondment.

4. A judge who has been seconded to another court of the same tier and specialisation shall administer justice and receive a judge's remuneration in the court to which he/she has been seconded.

5. The procedure for seconding a judge to another court of the same tier and specialisation shall be approved by the High Council of Justice upon submission made by the High Qualification Commission of Judges of Ukraine in agreement with the State Judicial Administration of Ukraine.

Article 56. Rights and duties of a judge

1. The rights of a judge which are related to the administration of justice shall be determined by the [Constitution of Ukraine](#), procedural and other laws.

2. A judge shall be entitled to participate in judicial self-government.

3. Judges may form public associations and participate in them in order to protect their rights and interests and enhance their professional competence.

4. A judge may be a member of national or international associations and other organisations aimed at protecting the interests of judges, promoting the authority of the judiciary in society or developing the legal profession and science.

5. A judge shall be entitled to enhance his/her professional competence and to undergo appropriate training for this purpose.

6. A judge must keep his/her oath.

7. A judge must:

1) consider and resolve court cases fairly, impartially and in a timely manner in accordance with the law and in compliance with the principles and rules of court procedure;

2) adhere to the rules of judicial ethics, including through manifesting and maintaining high standards of conduct in any activity in order to strengthen public trust in the court, ensure public trust in the honesty and integrity of judges;

3) submit a judge's declaration of integrity and a judge's declaration of family ties;

4) show respect for trial participants;

5) not to disclose information that is a secret protected by law, including the secrecy of judges' chambers and of a closed court hearing;

6) comply with the requirements and restrictions established by the corruption prevention legislation;

7) submit a declaration as a person authorised to perform government or local self-government functions;

8) systematically develop professional skills (abilities), maintain his/her qualification at the appropriate level necessary for the exercise of powers in the court where he/she holds office;

9) notify the High Council of Justice and the Prosecutor General of any interference with his/her administration of justice as a judge within five days of becoming aware of such interference;

10) confirm that his/her assets were legally acquired when required to in connection with the qualification assessment or disciplinary proceedings against the judge if the circumstances that may result in disciplinary action against the judge raise doubts regarding the legality of the judge's acquisition of assets or integrity of his/her actions.

8. A judge shall undergo training at the National School of Judges of Ukraine at least once every three years.

4. A judge shall not be entitled to any state awards or any other awards, distinctions or letters of commendation before his/her dismissal from the office or termination of his/her powers.

A judge may only be awarded state awards in case he/she has demonstrated personal courage and heroism under the circumstances involving the risk to life.

Article 57. The oath of a judge

1. A person appointed to the office of a judge shall assume the powers of a judge after taking the oath of a judge as follows:

"I, (name and surname), taking office as a judge, solemnly swear to the Ukrainian people to administer justice in the name of Ukraine objectively, impartially, independently, fairly and competently, guided by the rule of law, obeying the law alone, to exercise the powers and perform the duties of a judge honestly and conscientiously, to adhere to the ethical principles and rules of conduct of a judge, to refrain from committing acts that defame the title of a judge or undermine the authority of justice."

2. A judge shall take the oath during a solemn ceremony in the presence of the President of Ukraine. The Chairperson of the Supreme Court, the Chairperson of the Council of Judges of Ukraine, the Chairperson of the High Council of Justice and the Chairperson of the High Qualification Commission of Judges of Ukraine shall be invited to participate in the ceremony.

3. The text of the oath shall be signed by the judge and kept in his/her judicial file.

Article 58. Ethics of a judge

1. Judicial ethics matters shall be governed by the [Code of Judicial Ethics](#), which shall be approved by a congress of judges of Ukraine on the proposal of the Council of Judges of Ukraine.

Article 59. Monitoring of a judge's lifestyle

1. In order to assess whether the standard of living of a judge corresponds to the assets held by him/her and his/her family members and the income received by them, the judge's lifestyle shall be monitored in accordance with the law.

2. Monitoring of a judge's lifestyle may be carried out at the request of the High Qualification Commission of Judges of Ukraine, the High Council of Justice and in other cases specified by law.

3. The body that in accordance with law monitors a judge's lifestyle shall be obliged to send the relevant information on the results of monitoring immediately after its completion, but not later than thirty days from the date of receipt of the respective request.

4. The results of monitoring a judge's lifestyle may also be used to assess the judge's compliance with the rules of judicial ethics.

5. The information obtained as a result of monitoring a judge's lifestyle shall be included in his/her judicial file.

Article 60. A comprehensive examination of a declaration of a person authorised to perform government or local self-government functions

1. A comprehensive examination of a declaration of a person authorised to perform government or local self-government functions which have been submitted by a judge shall be carried out in accordance with law by a central executive body with a special status which ensures the making and implementation of state anti-corruption policy, and its aims shall be to assess the truthfulness of the declared information and accuracy of the assessment of declared assets and examine the judge for conflicts of interest and signs of illicit enrichment.

2. A comprehensive examination of a declaration of a person authorised to perform government or local self-government functions shall be carried out for each judge at least once every five years (unless otherwise provided by law), as well as at the request of the High Qualification Commission of Judges of Ukraine or the High Council of Justice.

{Part 2 of Article 60 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

Article 61. A judge's declaration of family ties

1. A judge shall be obliged to submit a declaration of family ties by February 1 of each year by filling out on the official website of the High Qualification Commission of Judges of Ukraine a form prescribed by the Commission.

2. The following information shall be indicated in a judge's declaration of family ties:

1) full name of the judge, his/her workplace and position held by him/her;

2) full names of persons with whom the judge has family ties, their workplaces (service postings), positions held by them, if such persons are or were during the most recent five-year period:

a) members of the High Council of Justice or employees of the secretariat of the High Council of Justice;

b) members of the High Qualification Commission of Judges of Ukraine, employees of the secretariat or inspectors of the High Qualification Commission of Judges of Ukraine;

c) members of the Temporary Special Commission for Inspection of Judges of General Jurisdiction Courts;

d) judges or court staff members;

e) judges of the Constitutional Court of Ukraine, employees of the secretariat of the Constitutional Court of Ukraine;

f) members of the Public Integrity Council, members of the Public Council of International Experts which shall be established in accordance with the law determining the principles of organisation and operations of the High Anti-Corruption Court;

{Subclause "f" of clause 2 of part 2 of Article 61 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

g) prosecutors, law enforcement officers, lawyers, notaries;

h) officials of the State Judicial Administration of Ukraine or its territorial offices;

i) the President of Ukraine;

j) the Chief of the Administration of the President of Ukraine or his/her deputies;

k) the Secretary of the National Security and Defense Council of Ukraine or his/her deputies;

l) people's deputies of Ukraine, members of the Verkhovna Rada of the Autonomous Republic of Crimea, oblast, raion, city, urban raion, village, town council;

m) members of the Cabinet of Ministers of Ukraine, heads or deputy heads of central executive bodies, including those with special status, members of the Council of Ministers of the Autonomous Republic of Crimea;

n) head or deputy heads of the National Anti-Corruption Bureau of Ukraine, members of the board of the National Agency for Prevention of Corruption;

o) the Verkhovna Rada of Ukraine Commissioner for Human Rights;

p) members of the Chamber of Accounts;

q) members of the Central Election Commission;

r) members of the Board or the Council of the National Bank of Ukraine;

s) members of the Antimonopoly Committee of Ukraine, national commissions for the regulation of natural monopolies, as well as the National Commission for State Regulation of Communications and Informatisation, the National Commission for State Regulation of Financial Services Markets, the National Commission on Securities and Stock Market;

t) chairpersons or deputy chairpersons of local state administrations;

u) city, village, town mayors or their deputies.

3. A judge's declaration of family ties shall be made freely publicly accessible through publication on the official website of the High Qualification Commission of Judges of Ukraine.

4. In the absence of evidence to the contrary, the information provided by a judge in the declaration of family ties shall be considered reliable.

5. Having received information that may indicate the inaccuracy (including incompleteness) of the information provided by a judge in the declaration of family ties, the High Qualification Commission of Judges of Ukraine shall examine the said declaration.

6. Failure to submit, late submission of the declaration of family ties by a judge or providing knowingly inaccurate (including incomplete) information in it shall result in disciplinary sanctions prescribed by this Law.

7. Imposing disciplinary sanctions on a judge for failure to submit, late submission of a declaration of family ties or providing knowingly inaccurate (including incomplete) information does not release the judge from the obligation to submit the respective declaration with accurate information.

8. For the purposes of this article, persons with whom a judge has family ties shall include:

1) persons who live together, keep house together and have mutual rights and obligations with a judge (except for persons whose mutual rights and obligations with the judge are not of family nature), including persons who live together with, but are not married to a judge;

2) regardless of the conditions specified in clause 1, husband, wife, as well as relatives of each spouse or relatives of persons who live together with but are not married to a judge (father, mother, stepfather, stepmother, son, daughter, stepson, stepdaughter, brother, sister, grandfather, grandmother, great-grandfather, great-grandmother, grandson, granddaughter, a great-grandson, great-granddaughter, son-in-law, daughter-in-law, father-in-law, mother-in-law, nephew, niece, uncle, aunt, adoptive parent, adoptive child).

Article 62. A judge's declaration of integrity

1. A judge shall be obliged to submit a declaration of integrity by February 1 of each year by filling out on the official website of the High Qualification Commission of Judges of Ukraine a form prescribed by the Commission.

2. A judge's declaration of integrity shall consist of a list of statements which the judge must mark as truthful or untruthful by confirming or not confirming them.

In a judge's declaration of integrity, he/she shall indicate his/her full name, workplace, the position held by him/her and mark statements on:

1) the judge's standard of living corresponds to the assets held by him/her and his/her family members and the income received by them;

2) timely and complete submission of declarations of a person authorised to perform government or local self-government functions, and truthfulness of the information declared in them;

3) committing no corruption offences;

4) lack of grounds for imposing disciplinary sanctions on the judge;

5) conscientious performance of the duties of a judge and keeping of the oath by him/her;

6) non-interference in the administration of justice by other judges;

7) passing an examination of judges in accordance with the [Law of Ukraine](#) "On Restoration of Trust in the Judiciary in Ukraine" and its results;

8) being subject to no prohibitions defined by the [Law of Ukraine](#) "On Government Cleansing".

A judge's declaration of integrity may contain other statements aimed at examining the judge's integrity.

4. A judge's declaration of integrity shall be made freely publicly accessible through publication on the official website of the High Qualification Commission of Judges of Ukraine.

4. In the absence of evidence to the contrary, the information provided by a judge in the declaration of integrity shall be considered reliable.

6. Having received information that may indicate the inaccuracy (including incompleteness) of the information provided by a judge in the declaration of integrity, the High Qualification Commission of Judges of Ukraine shall examine the said declaration.

7. Failure to submit, late submission of the declaration of integrity by a judge or declaring knowingly inaccurate (including incomplete) statements in it shall result in disciplinary sanctions prescribed by this Law.

Chapter 3. Juror

Article 63. Status of a juror

1. A juror shall be a person who, in cases prescribed by procedural law and with his/her consent, shall decide cases as a member of a court together with a judge or is otherwise involved in the administration of justice.

2. Jurors shall perform the duties specified in [clauses 1, 2, 4-6](#) of part 7 of Article 56 of this Law.

Article 64. List of jurors

1. To secure approval of a list of jurors, the territorial office of the State Judicial Administration of Ukraine shall make submissions to the respective local councils, which shall compile and approve in the number specified in the submission a list of citizens permanently residing in the territories under the jurisdiction of the respective district court who meet the requirements of [Article 65](#) of this Law and have given their consent to serve as jurors.

2. A list of jurors for hearing commercial cases shall be approved in the manner prescribed by law from among the persons who meet the requirements of Article 65 of this Law and have given their consent to serve as jurors.

3. In case of the local council(s) failing to approve a list of jurors within two months from the date of receipt of the submission, the territorial office of the State Judicial Administration of Ukraine shall make a submission for approval of a list of jurors to the respective oblast council.

4. An approved list of jurors shall be valid for three years and shall be revised, if necessary, to replace persons who have been stricken from the roll, at the request of the territorial office of the State Judicial Administration of Ukraine.

5. After a list of jurors has been approved, such a roll shall be sent to the respective district court, including in electronic form. The information contained in that roll may not be used for purposes other than the selection of jurors.

Article 65. Requirements for serving as a juror

1. To serve as a juror, an individual must be a citizen of Ukraine who has reached the age of thirty and permanently resides in the territory to which the jurisdiction of the relevant district court extends, except as otherwise provided by law.

The following citizens shall not be included in a list of jurors:

- 1) deemed by a court to have the limited legal capacity or be incapable;
- 2) suffering from chronic mental or other illnesses that interfere with the performance of the duties of a juror;
- 3) having an unexpunged or not annulled criminal record;

4) people's deputies of Ukraine, members of the Cabinet of Ministers of Ukraine, judges, prosecutors, law enforcement officers, soldiers, court staff members, other civil servants, local government officials, lawyers, notaries, members of the High Qualification Commission of Judges of Ukraine and the High Council of Justice;

5) persons on whom any administrative sanctions were imposed during the previous year for any corruption offence;

6) citizens who have reached the age of sixty-five;

7) persons who do not speak the state language.

3. A person included in the list of jurors shall be obliged to inform the court of the circumstances that prevent his/her participation in the administration of justice if any.

Article 66. Grounds and procedure for relieving a juror from his/her duties

1. In the presence of the circumstances specified in [part 2](#) of Article 65 of this Law, the chairperson of the court shall relieve the person who was included in the list of jurors from the duties of a juror.

2. The chairperson of the court shall also relieve from the duties of a juror:

1) a person who is on maternity leave, childcare leave, as well as a person who has children of preschool or primary school age or supports children with disabilities or elderly family members;

2) the head or deputy head of a local self-government body;

3) a person who, due to his/her religious beliefs, finds it impossible to participate in the administration of justice;

4) any other person, if the chairperson of the court finds the reasons offered by him/her compelling.

3. A person referred to in part 2 of this article shall be relieved from the duties of a juror upon his/her request submitted before he/she begins performing these duties.

4. A juror shall be relieved of juror's duties as a result of recusal (self-recusal) in a particular case in the manner prescribed by procedural law or upon a proposal of the presiding judge.

Article 67. Involving jurors in performing their duties in the court

1. The court shall involve jurors in the administration of justice by turns for a period not exceeding one month per year, except in cases where the extension of this period is due to the need to complete hearings in a case which started with their participation.

2. The selection of persons to be invited to participate in the administration of justice as jurors shall be carried out by means of an automated system.

3. The court shall send to the juror a written invitation to participate in the administration of justice not later than seven days before the beginning of the court hearing. The invitation shall contain information on the rights and obligations of the juror, the requirements which he/she must meet, as well as the grounds for being relieved from his/her duties. Simultaneously with sending the invitation, a written notice shall be sent to the employer about the individual being involved as a juror.

4. Involving jurors in performing their duties in court and summoning them shall be carried out in the manner prescribed by procedural law.

5. The employer shall be obliged to grant the juror a leave of absence while he/she is performing his/her duties in the administration of justice. Refusal to provide a leave of absence shall be deemed to constitute contempt of court.

6. A juror shall be obliged to appear in time at the invitation of the court to participate in the court hearing. Failure to arrive at a court hearing without a compelling reason shall be deemed to constitute contempt of court.

Article 68. Guarantees of the rights of jurors

1. Jurors shall be remunerated for the time spent performing their duties in the court with compensation calculated on the basis of the salary rate of a local court judge and taking into account the hours actually worked in the manner prescribed by the State Judicial Administration of Ukraine. Jurors shall be reimbursed for travel and accommodation expenses, as well as paid per diem allowance. These payments shall be made under the budget program for the administration of justice by territorial offices of the State Judicial Administration of Ukraine from the State Budget of Ukraine.

2. Jurors shall keep all guarantees and privileges provided by law at the place of their principal employment for the duration of their performing their duties in the court. Time spent by a juror performing his/her duties in the court shall count towards all types of employment record. A juror may not be dismissed or transferred to another position without his/her consent while performing his/her duties in court.

3. Statutory guarantees of the independence and immunity of judges shall apply to jurors for the duration of their performing their duties in the administration of justice. Upon a reasoned request by a juror, he/she may benefit from security measures even after completing his/her performance of these duties.

Section IV
PROCEDURE FOR TAKING OFFICE AS A JUDGE

Article 69. Requirements for candidates for judicial office

1. To be appointed a judge, an individual must be a citizen of Ukraine, not younger than thirty and not older than sixty-five years, who has obtained higher legal education and has at least five years of professional experience in the field of law, is competent, of good moral character and speaks the state language.

2. No citizen may be appointed a judge if he/she:

- 1) has been deemed by a court to have the limited legal capacity or be incapable;
- 2) is suffering from chronic mental or other illnesses that prevent him/her from the administration of justice;
- 3) has an unexpunged or not annulled criminal record.

No person who is subject to a statutory prohibition to hold the office of a judge may apply for such an office.

4. Also, no person may apply for a judicial officer who has previously been dismissed from the office of a judge for committing a significant disciplinary offence, gross or systematic neglect of duties that have been found incompatible with the status of a judge or has shown his/her incompatibility with the position, a violation of incompatibility requirements, a violation of the obligation to confirm that his/her assets have been legally acquired, or in connection with the entry into force of a criminal sentence against such a person, except in cases where the decision to dismiss him/her on these grounds was later deemed illegal by a court or the criminal sentence overturned.

Also, no person may apply for a judicial officer who has previously been dismissed from the office of a judge based on the results of a qualification assessment.

6. For the purposes of this Law, it shall be deemed that:

1) higher legal education means higher legal education (master's degree or equivalent higher education at the educational and qualification level of a specialist) obtained in Ukraine, as

well as higher legal education of the same level obtained in foreign countries and recognised in Ukraine in accordance with law;

2) professional experience in the field of law means a professional experience of a person acquired while working in his/her degree field after obtaining higher legal education;

3) an academic degree means an academic degree in the field of law obtained at a higher education institution (university, academy or institute, except for military higher education institutions) or a research institution in Ukraine or a similar foreign higher education institution or research institution. An academic degree obtained at a foreign higher education institution or research institution shall be acknowledged in Ukraine in the manner prescribed by law;

{Clause 3 of part 6 of Article 69 as amended by the Law [No. 1798-VIII of December 21, 2016](#)}

4) academic experience means the professional experience in the field of law obtained while holding a research (research and lecturing) job at a higher education institution (university, academy or institute, except for military higher education institutions) or a research institution in Ukraine or a similar foreign higher education institution or research institution.

{Clause 4 of part 6 of Article 69 as amended by the Law [No. 1798-VIII of December 21, 2016](#)}

Article 70. Procedure for selection for an appointment to judicial office

1. Selection for and appointment to judicial office shall be performed in the manner prescribed by this Law and include the following stages:

1) the High Qualification Commission of Judges of Ukraine announced the selection of candidates for judicial office, taking into account the projected number of vacant judicial offices;

2) the High Qualification Commission of Judges of Ukraine posting on its official website the announcement of the selection of candidates for judicial office.

The announcement must indicate the deadline for submission of documents to the High Qualification Commission of Judges of Ukraine, which may not come earlier than 30 days from the date of the announcement, as well as the projected number of vacant judicial offices for the next year;

3) persons who have expressed their intention to become a judge submitting to the High Qualification Commission of Judges of Ukraine the relevant applications and documents specified in [Article 71](#) of this Law by ;

4) the High Qualification Commission of Judges of Ukraine examining on the basis of submitted documents whether persons who have applied for participation in the selection meet the requirements established by this Law for a candidate for judicial office;

5) the High Qualification Commission of Judges of Ukraine allowing persons who, based on the results of the examination, meet the requirements established by this Law for a candidate for judicial office at the time of application, participate in the selection and take the selection exam;

6) a person allowed to participate in the selection taking the selection exam;

7) the High Qualification Commission of Judges of Ukraine establishing the results of the selection examination and publishing them on the official website of the High Qualification Commission of Judges of Ukraine;

8) persons who have successfully passed the selection examination undergoing a special background check in the manner prescribed by the legislation on the prevention of corruption and taking into account the special provisions specified in [Article 74](#) of this Law;

9) the candidates who have successfully passed the selection examination and undergone a special background check, receiving special training and obtaining certificates of special training;

10) the candidates who have received special training taking the qualification examination and the Commission establishing its results;

11) the High Qualification Commission of Judges of Ukraine placing candidates for judicial office in reserve for filling vacant judicial offices, ranking them, publishing the list of candidates for judicial office placed in the reserve and the ranked list on the official website of the High Qualification Commission of Judges of Ukraine;

12) the High Qualification Commission of Judges of Ukraine announcing a competition for filling vacancies in accordance with the number of vacant judicial offices in local courts;

13) the High Qualification Commission of Judges of Ukraine holding a competition to fill a vacant judicial office on the basis of the ranking of candidates who took part in such competition, and making a recommendation to the High Council of Justice on appointing a candidate to the judicial office;

14) the High Council of Justice deliberating on the recommendation of the High Qualification Commission of Judges of Ukraine and making a decision on the candidate for judicial office;

15) the President of Ukraine issuing a decree on the appointment of a judge in the event that the High Council of Justice has submitted a proposal on the appointment of a judge.

2. The selection of candidates for judicial office who have at least three years of experience as judicial assistants shall be carried out with the special provisions determined by a decision of the High Qualification Commission of Judges of Ukraine.

Article 71. Application of a candidate for judicial office to the High Qualification Commission of Judges of Ukraine

1. To participate in the selection, a candidate for judicial office shall submit:

1) a written application for participation in the selection of candidates for judicial office;

2) a copy of his/her internal Ukrainian passport;

3) a questionnaire of a candidate for the judicial office which contains information about him/her;

4) a motivation letter which sets out the motives for wishing to become a judge;

5) a declaration of family ties and an integrity declaration of a candidate for judicial office;

{Clause 5 of part 1 of Article 71 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

7) a copy of a diploma (including annexes) of higher legal education obtained in Ukraine, copies of certificates of higher legal education obtained abroad, accompanied by copies of certificates of their recognition in Ukraine as well as copies of certificates of academic degree and rank (if available);

7) a copy of the employment record book, service record (if any) or other documents related to the employment history of the candidate for judicial office;

{Clause 7 of part 1 of Article 71 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

8) documents from medical institutions in the prescribed form on the passing of psychiatric and narcological examinations and registration with psychoneurological or narcological health care institutions;

{Clause 8 of part 1 of Article 71 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

9) written consent to the collection, storage, processing and use of information about the candidate in order to assess his/her readiness to serve in a judicial office;

10) consent to the statutory, special background check.

11) a copy of the declaration of a person authorised to perform government or local self-government functions, covering the year preceding the year of submission of documents, and a link to the relevant page of the Unified State Register of Declarations of Persons Authorised to Perform Government or Local Self-Government Functions;

{Clause 11 of part 1 of Article 71 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

9) a copy of a military service record card (applicable to military servicemen or persons liable to the military service);

13) documents confirming the candidate's compliance with the requirements of [Article 69](#) of this Law.

{Clause 13 of part 1 of Article 71 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

2. The form and content of the application for participation in the selection of candidates for judicial office and the questionnaire of a candidate for judicial office shall be approved by the High Qualification Commission of Judges of Ukraine and posted on its official website.

3. It shall be prohibited to require that candidates provide any other documents except for those specified by this article.

4. Documents shall be accepted through the day specified in the announcement as the deadline for their submission. Applications received after the final term shall not be considered.

5. Persons who have submitted all the necessary documents specified in part 1 of this Article and meet the requirements established by this Law for a candidate for judicial office on the day of submitting an application for participation in the selection shall be allowed to participate in the selection of candidates for judicial office.

6. Persons who have not submitted all the necessary documents and/or submitted documents that do not meet the requirements shall not be allowed to participate in the selection. In case a person is not allowed to participate in the selection of candidates for judicial office, the High Qualification Commission of Judges of Ukraine shall adopt a reasoned decision.

Article 72. Procedure for selecting candidates for judicial office

1. The selection of candidates for judicial office shall involve the selection examination being taken by persons who have been allowed to participate in the selection, the special background check being carried out on such persons by the High Qualification Commission of Judges of Ukraine in the manner prescribed by legislation in the field of corruption prevention and taking into account the special provisions of this Law, as well as such persons undergoing special training and taking the qualification examination.

2. The High Qualification Commission of Judges of Ukraine shall be obliged to ensure the transparency of selection and qualification examinations. Members of the media, representatives of public associations, judges, lawyers, representatives of judicial self-government bodies, as well as any candidate for judicial office who took part in the respective examination, may be present at each of these stages and during the grading of submitted papers.

Article 73. The selection examination

1. The selection examination shall be conducted by the High Qualification Commission of Judges of Ukraine in the form of anonymous testing aiming to verify the level of general theoretical legal knowledge held by the candidate for judicial office, his/her mastery of the state language, personal moral and psychological qualities of the candidate.

2. The High Qualification Commission of Judges of Ukraine shall notify through its official website candidates for judicial office who have been allowed to participate in the selection examination of the date, time and place of holding the examination not later than ten days before the set date of the examination.

3. Upon completion of the selection examination, the High Qualification Commission of Judges of Ukraine shall immediately grade the submitted papers in the presence of candidates

for judicial office and determine the passing score while taking into account the projected number of vacancies, but the score may in no case be lower than 75 per cent of the maximum possible score.

4. The results of the selection examination shall be published on the official website of the High Qualification Commission of Judges of Ukraine not later than on the next day after the examination.

5. Based on the results of the selection examination, the High Qualification Commission of Judges of Ukraine shall make a preliminary decision on allowing persons who have successfully passed the selection examination to enter the next stage of selection and publish this decision on the official website of the High Qualification Commission of Judges of Ukraine.

6. The procedure for taking the selection examination and the method of evaluating its results shall be determined by a regulation approved by the High Qualification Commission of Judges of Ukraine.

Article 74. Carrying out a special background check on a candidate for judicial office

1. To conduct a special background check, the High Qualification Commission of Judges of Ukraine shall have made a preliminary decision on allowing persons who have successfully passed the selection examination to enter the next stage of selection, send requests to authorised government bodies to verify relevant information about these persons.

In the case of information being verified through direct access to automated information and reference systems, registers and data banks whose holders (administrators) are government or local self-government bodies, no requests shall be sent to the respective government bodies.

The list of authorised government bodies and the requirements for the information to be provided or received shall be determined by the High Qualification Commission of Judges of Ukraine while taking into account the information contained in the personal files of candidates for judicial office.

2. Natural and juridical persons shall have the right to submit to the High Qualification Commission of Judges of Ukraine information on candidates for judicial office.

3. Based on the results of the special background check, the High Qualification Commission of Judges of Ukraine shall make a decision on sending persons who meet the requirements for a candidate for judicial office to undergo special training at the National School of Judges of Ukraine.

4. Having received information indicating non-compliance of a candidate for judicial office with the requirements prescribed by this Law, the High Qualification Commission of Judges of Ukraine shall adopt a reasoned decision to terminate further participation of such a candidate in the selection for judicial office.

{Article 74 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

Article 75. A comprehensive examination of a declaration of a person authorised to perform government or local self-government functions which have been submitted by a candidate for judicial office

1. A comprehensive examination of a declaration of a person authorised to perform government or local self-government functions which have been submitted by a candidate for judicial office shall be carried out in accordance with law by a central executive body with a special status which ensures the making and implementation of state anti-corruption policy, and its aims shall be to assess the truthfulness of the declared information and accuracy of the assessment of declared assets and examine the judge for conflicts of interest and signs of illicit enrichment.

2. A comprehensive examination of such a declaration shall be carried out within thirty days from the date of its submission by the candidate for judicial office.

Article 76. A declaration of family ties by a candidate for judicial office

1. A candidate for judicial office shall be obliged to submit a declaration of family ties by filling out on the official website of the High Qualification Commission of Judges of Ukraine a form prescribed by the Commission.

2. The declaration of family ties of a candidate for judicial office shall contain the information specified in [part 2](#) of Article 61 of this Law.

3. A candidate for judicial office's declaration of family ties shall be made freely publicly accessible through publication on the official website of the High Qualification Commission of Judges of Ukraine.

4. In the absence of evidence to the contrary, the information provided by a candidate for judicial office in the declaration of family ties shall be considered reliable.

5. Having received information that may indicate the inaccuracy (including incompleteness) of the information provided by a candidate for judicial office in the declaration of family ties, the High Qualification Commission of Judges of Ukraine shall examine the said declaration and consider it at its meeting to which such a candidate shall be invited. The candidate for judicial office shall be entitled to get acquainted with this information, provide appropriate explanations, refute and deny it.

6. Should the High Qualification Commission of Judges of Ukraine conclude, having considered the information received, that the information submitted by the candidate for judicial office in the declaration of family ties is inaccurate (including due to incompleteness), the Commission shall adopt a reasoned decision to terminate further participation of such a candidate for judicial office in the selection and appointment process.

7. Persons having family ties with a candidate for judicial office shall be persons specified in [part 8](#) of Article 61 of this Law.

Article 77. Special training of a candidate for judicial office

1. Special training of a candidate for judicial office shall include theoretical and practical judicial training at the National School of Judges of Ukraine.

2. The program, curriculum and procedure for special training of candidates for judicial office shall be approved by the High Qualification Commission of Judges of Ukraine on the recommendation of the National School of Judges of Ukraine.

3. Special training shall be conducted for twelve months (except as otherwise prescribed by the decision of the High Qualification Commission of Judges of Ukraine) at the expense of the State Budget of Ukraine.

4. For the duration of the candidate's training, he/she shall keep his/her principal place of employment and receive a scholarship equal to the basic salary of a judicial assistant of a local court. The period of undergoing special training at the National School of Judges of Ukraine shall count to the length of professional experience in the field of law.

5. Based on the results of special training, candidates shall receive certificates of the design prescribed by the High Qualification Commission of Judges of Ukraine. The candidate shall be deemed to have passed special training if he/she successfully completes the training program.

6. The National School of Judges of Ukraine shall send documents on candidates who have passed special training to the High Qualification Commission of Judges of Ukraine for them to take the qualification examination.

7. In case of a candidate for judicial office violating the procedure of special training which led to his/her expulsion, termination of a candidate's training on his/her own initiative, or a candidate failing to complete the special training program, he/she must reimburse the funds spent on his/her training. Also, a candidate for judicial office shall be obliged to reimburse the funds spent on his/her special training if he/she fails to appear for the qualifying examination without a compelling reason or fails to apply for participation in the competition for filling a vacant judicial

office within three years from the date of enrolment in the reserve, or is excluded from the reserve at his/her own request.

Article 78. Qualification examination

1. The qualification examination shall be a certification of a person who has undergone special training and has shown his/her intention to be recommended for appointment to judicial office.

2. The qualification examination shall aim to identify the appropriate theoretical knowledge and level of professional training of a candidate for judicial office, including that obtained as a result of special training, as well as the degree of his/her ability to administer justice.

3. The qualification examination shall be conducted as follows: a candidate for judicial office takes a written anonymous test and anonymously completes a written practical assignment in order to identify his/her level of knowledge, practical skills and abilities in the application of law and conducting a court hearing.

4. The qualification examination shall be conducted by the High Qualification Commission of Judges of Ukraine in a specially equipped room. The course of the qualification examination shall be recorded with technical means of video and audio recording. Members of the media and representatives of professional legal organisations as well as human rights organisations may be present at any stage of the examination and during the evaluation of its results.

5. The procedure for taking the qualification examination and the method of evaluating candidates shall be determined by a regulation approved by the High Qualification Commission of Judges of Ukraine.

6. The results of the qualifying examination shall be valid for three years from the date of the examination.

7. If a person has scored less than 75 per cent of the maximum possible score of the qualification examination, he/she shall be deemed to have failed the qualification examination.

8. A person who has failed the qualification examination may be allowed to retake such examination not earlier than in a year. A person who has failed the repeat qualification examination may be allowed to retake it not earlier than in two years.

9. The High Qualification Commission of Judges of Ukraine shall determine the ranking of candidates for judicial office in accordance with the points scored by the candidates based on the results of the qualification examination. The ranking shall also separately show the scores for tasks that test a candidate's ability to be a judge in the relevant specialisations.

10. The High Qualification Commission of Judges of Ukraine shall enrol in the reserve for filling vacant judicial offices those candidates who have scored at least 75 per cent of the maximum possible score in the qualification examination.

11. Information on the results of the qualification examination and the ranking of a candidate for judicial office shall be publicly available and published on the official website of the High Qualification Commission of Judges of Ukraine.

12. Violations of the procedure for conducting a qualification examination for a candidate for judicial office may be challenged in the manner prescribed by the [Code of Administrative Procedure of Ukraine](#).

Article 79. Conducting a competition to fill a vacant judicial office

1. A competition to fill a vacant judicial office shall be held in accordance with this Law and the regulation on conducting a competition.

2. The regulation on conducting a competition to fill a vacant judicial office shall be approved by the High Qualification Commission of Judges of Ukraine.

3. To hold a competition to fill a vacant judicial office, the High Qualification Commission of Judges of Ukraine shall make a decision to announce it, post relevant information on its official website and web portal of the judiciary and publish it in the print media specified by itself not later than one month before the day of the competition.

4. The general procedure for submitting an application for participation in the competition and its terms shall be determined by the High Qualification Commission of Judges of Ukraine.

5. Information on the submission of an application for participation in the competition to fill a specific vacant judicial office shall be published on the official website of the High Qualification Commission of Judges of Ukraine.

6. The competition announcement shall indicate the courts which have vacant judicial offices, the number of such offices, the terms of the competition, its date, time and place.

7. Applications for participation in the competition to fill a vacant judicial office shall be submitted to the High Qualification Commission of Judges of Ukraine within the period established by the Commission.

8. The High Qualification Commission of Judges of Ukraine shall hold a competition to fill vacant judicial offices in a local court on the basis of a ranking of candidates for judicial office and judges who have expressed their intention to be transferred to another local court, with the ranking based on the results of qualification examinations taken in the framework of the procedure for selection of judges or the procedure of qualification assessment, respectively.

9. The High Qualification Commission of Judges of Ukraine shall hold a competition to fill vacant judicial offices in an appellate court or the Supreme Court on the basis of a ranking of its participants based on the results of a qualification assessment.

10. A competition to fill a vacant judicial office in the Supreme Court shall be held in respect of a vacant office in the relevant cassation court.

9. The High Qualification Commission of Judges of Ukraine shall hold a competition to fill vacant judicial offices in a high-specialised court on the basis of a ranking of its participants based on the results of a qualification assessment.

12. The competition to fill a vacant judicial office shall mean identifying the participant of the competition who has a higher position in the ranking.

13. If several candidates for judicial office and judges who have expressed their intention to be transferred to another local court have the same position in the ranking, preference shall be given to the participant who scored more points in the practical assignment performed during the qualification examination, and if the number of points is the same, to the participant who is a judge. If several participants who are judges have the same results in the competition, preference shall be given to the participant who has a greater length of service as a judge. If the participants have not served as judges or have the same length of service as a judge, preference shall be given to the participant who has more professional experience in the field of law.

If several participants of the competition for a judicial office in an appellate court or the Supreme Court have the same position in the ranking determined based on the results of a qualification assessment, preference shall be given to the participant who scored more points in the practical assignment performed during the examination held in the framework of the procedure of qualification assessment, and if the number of points is the same, to the participant who has a greater length of service as a judge. If the participants have not served as judges or have the same length of service as a judge, preference shall be given to the participant who has more professional experience in the field of law.

If several participants of the competition for a judicial office in the High Intellectual Property Court have the same position in the ranking determined based on the results of a qualification assessment, preference shall be given to the participant who scored more points in the practical assignment performed during the examination held in the framework of the procedure of

qualification assessment, and if the number of points is the same, to the participant who is a judge.

16. The criteria for determining the winner of a competition for a judicial office in the High Anti-Corruption Court shall be determined by law.

17. Based on the results of the competitive selection, the High Qualification Commission of Judges of Ukraine shall send to the High Council of Justice recommendations on appointing candidates to judicial offices in accordance with the number of vacant judicial offices.

18. In accordance with a recommendation submitted by the High Qualification Commission of Judges of Ukraine, the High Council of Justice shall consider at its meeting the matter of appointing a candidate to a judicial office and in case of a positive decision, make a submission on the appointment of a judge to the office to the President of Ukraine.

19. The High Council of Justice may refuse to make a submission on the appointment of a judge to the office to the President of Ukraine only on the following grounds:

1) the existence of reasonable doubts as to the candidate's compliance with the criteria of integrity or compliance with professional ethics or other circumstances that may adversely affect public trust in the judiciary in connection with such appointment;

2) violation of the statutory procedure for appointment to judicial office.

The grounds referred to in paragraph 1 of this part shall be identified by the High Council of Justice based on its own assessment of the circumstances related to the candidate for judicial and his/her personal qualities.

20. Should the High Council of Justice refuse to make a submission on the appointment of a judge to the office to the President of Ukraine, it shall adopt a reasoned decision which may be appealed to the Supreme Court in the manner prescribed by procedural law.

21. A decision of the High Council of Justice to refuse to make a submission on the appointment of a judge to the office to the President of Ukraine may be appealed and overturned only on the following grounds:

1) the members of the High Council of Justice who adopted the respective decision did not have the powers to do so;

2) the decision was not signed by a member of the High Council of Justice who participated in its adoption;

3) the decision does not refer to the statutory grounds for a refusal to make a submission on the appointment of a judge to the office to the President of Ukraine or to the reasons based on which the High Council of Justice reached its findings.

22. A candidate for judicial office in regard of whom the High Council of Justice refused to make a submission on the appointment of a judge to the office to the President of Ukraine may not be re-enrolled in reserve without undergoing a new selection procedure.

Article 80. Appointment to judicial office

1. Appointment to judicial office shall be made by the President of Ukraine on the basis of and within the terms of a submission made by the High Council of Justice, without any verification of compliance with the requirements established by this Law for candidates for judicial office and the procedure for selection or qualification assessment of candidates.

No submissions regarding a candidate for judicial office shall preclude his/her appointment. The facts set forth in such submissions may create grounds for the President of Ukraine to raise before the competent authorities the issue of verifying these facts in the manner prescribed by law.

2. The President of Ukraine shall issue a decree on the appointment of a judge no later than thirty days from the date of receipt of the relevant submission of the High Council of Justice.

Article 81. Special procedure for appointment to judicial office in an appellate court, a high-specialised court or the Supreme Court

{The title of Article 81 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

1. For the purposes of this Law, the special procedure for appointment to judicial office in an appellate court, a high-specialised court or the Supreme Court shall mean the procedure for appointing to the respective court persons who meet one of the requirements specified in [part 1](#) of Article 28, [part 1](#) or [2](#) of Article 33, or [part 1](#) of Article 38 of this Law, respectively.

{Part 1 of Article 81 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

2. To be appointed to judicial office in the Supreme Court under the special procedure, a person must meet the requirements for candidates for judicial office, confirm the ability to administer justice in the Supreme Court based on the results of a qualification assessment, and also meet one of the requirements specified in [part 1](#) of Article 38 of this Law.

3. To be appointed to judicial office in an appellate court or high-specialised court under the special procedure, a person must meet the requirements for candidates for judicial office, confirm the ability to administer justice in the respective court and with respective specialisation based on the results of a qualification assessment, and also meet one of the requirements specified in part 1 of Article 28 (for an appellate court) or [part 1](#) or [2](#) of Article 33 (for a high-specialised court) of this Law.

{Part 3 of Article 81 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

4. To be allowed to undergo the qualification assessment for participation in the competition for judicial office in an appellate court, a high-specialised court or the Supreme Court under the special procedure, a candidate for judicial office shall submit to the High Qualification Commission of Judges of Ukraine:

{Paragraph 1 of part 4, Article 81 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

1) a written application for participation in the competition and the qualification assessment;

{Clause 1 of part 4, Article 81 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

2) documents specified in [clauses 2-13](#) of part 1 of Article 71 of this Law;

3) documents confirming compliance with one of the requirements specified in [part 1 of Article 28](#), [part 1](#) or [2 of Article 33](#), or [part 1 of Article 38](#) of this Law, respectively.

{Clause 3 of part 4, Article 81 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

1. The High Qualification Commission of Judges of Ukraine shall:

1) on the basis of the submitted documents establish the person's compliance with the requirements for a candidate for judicial office in an appellate court, a high-specialised court or the Supreme Court and compile a personal file for him/her;

{Clause 1 of part 5 of Article 81 as amended by Law [No. 2509-VIII of July 12, 2018](#)}

2) conduct the qualification assessment of a candidate for judicial office in an appellate court, a high-specialised court or the Supreme Court;

{Clause 2 of part 5, Article 81 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

3) conduct a special background check for candidates for judicial office who have reached the stage of file examination and interviewing in the qualification assessment.

The list of authorised government bodies and the requirements for the information to be provided or received during the special background check and deadlines for the information to be provided by authorised government bodies shall be determined by the High Qualification Commission of Judges of Ukraine while taking into account the information contained in the personal files of candidates for judicial office and the timing of the respective competition.

The results of the special background check shall be taken into account when adopting a decision of the Commission on the results of the qualification assessment;

{Clause 3 of part 5, Article 81 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

4) based on the results of the qualification assessment of a candidate for judicial office in an appellate court, a high-specialised court or the Supreme Court, decide whether or not to confirm such a candidate's ability to administer justice in the respective court and determine his/her ranking position for participation in the competition.

{Clause 4 of part 5 of Article 81 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

6. If based on the results of a competition to fill a vacant judicial office in an appellate court, a high-specialised court or the Supreme Court, the High Qualification Commission of Judges of Ukraine decides to make a recommendation to the High Council of Justice to appoint a candidate to judicial office, such a recommendation shall be sent to the High Council of Justice for consideration accompanied by supporting materials.

{Part 6 of Article 81 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

7. The High Council of Justice shall consider the matter of making a submission to the President of Ukraine on the appointment of a judge to office in an appellate court, a high-specialised court or the Supreme Court and adopt an appropriate decision.

{Part 7 of Article 81 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

Article 82. Transfer of a judge to another court

1. A judge may be transferred, including temporarily by means of secondment, to a judicial office at another court by the High Council of Justice in the manner prescribed by law.

2. Transfer of a judge to a judicial office at another court shall be carried out on the basis of and within the terms of a recommendation of the High Qualification Commission of Judges of Ukraine which shall be submitted based on the results of a competition to fill a vacant judicial office held in accordance with [Article 79](#) of this Law.

3. Transfer of a judge to a judicial office at another court of the same or lower tier may be carried out without a competition only in cases of reorganisation, disestablishment or termination of operations of the court at which such a judge holds a judicial office.

{Part 3 of Article 82 as amended by the Law [No. 2147-VIII of October 3, 2017](#)}

4. Transfer of a judge to another court by way of disciplinary sanction shall be carried out on the basis of a submission of the body that made the decision to impose the disciplinary sanction on the judge.

Section V QUALIFICATION LEVEL OF A JUDGE

Chapter 1. Qualification assessment of judges

Article 83. Purposes of and grounds for qualification assessment

1. Qualification assessment shall be conducted by the High Qualification Commission of Judges of Ukraine in order to determine the ability of a judge (candidate for judicial office) to administer justice in the respective court according to the criteria established by law.

2. There shall be the following criteria for qualification assessment:

- 1) competence (professional, personal, social, etc.);
- 2) professional ethics;
- 3) integrity.

3. Qualification assessment in respect to professional competence shall be carried out, taking into account the principles of tiered subordination and specialisation.

4. There shall be the following grounds for ordering a qualification assessment:

1) a request of a judge (candidate for judicial office) for a qualification assessment, including for participation in the competition;

2) a decision of the High Qualification Commission of Judges of Ukraine to order a qualification assessment of a judge in cases prescribed by law.

5. The procedure and methodology of qualification assessment, indicators of compliance with the criteria of qualification assessment and the means of establishing them shall be approved by the High Qualification Commission of Judges of Ukraine.

Article 84. Conducting a qualification assessment

1. The High Qualification Commission of Judges of Ukraine shall decide on ordering a qualification assessment within three months from the date of receipt of the written request to that effect, except in the case of a qualification assessment being ordered in connection with the imposition of disciplinary sanctions or other cases prescribed by law.

2. Based on the results of the qualification assessment, the High Qualification Commission of Judges of Ukraine shall adopt one of the decisions prescribed by this Law.

3. A judge (candidate for judicial office) may apply to the High Qualification Commission of Judges of Ukraine with a request to hold a qualification assessment not earlier than one year from the date of the Commission's decision based on the results of the most recent qualification assessment, except for cases when he/she makes a request to hold an assessment for the vacant judicial office in a court of lower instance or different specialisation.

The procedure for taking into account the results of the most recent qualification assessment of a judge (candidate for judicial office) shall be determined by a decision of the High Qualification Commission of Judges of Ukraine.

{Part 3 of Article 84 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

4. Qualification assessment shall be conducted transparently and publicly, in the presence of the judge (candidate for judicial office) being assessed and any interested persons. Representatives of a judicial self-government body may be present during deliberations on the matter of qualification assessment of a judge.

5. If facts are revealed during a qualification assessment that may result in disciplinary sanctions being imposed against a judge, the High Qualification Commission of Judges of Ukraine may request the body conducting disciplinary proceedings against a judge to resolve the issue of opening a disciplinary case or refusing to open it.

In the case of the High Qualification Commission of Judges of Ukraine requesting the body conducting disciplinary proceedings against a judge to resolve the issue of opening a disciplinary case or refusing to open it, or the body conducting disciplinary proceedings against a judge receiving during the qualification assessment a complaint about the conduct of a judge that may result in disciplinary sanctions against him/her, the High Qualification Commission of Judges of Ukraine shall have the right to suspend the qualification assessment of that judge.

6. If in the process of the qualification assessment of a judge the High Qualification Commission of Judges of Ukraine becomes aware of circumstances that may indicate a violation by the judge of corruption prevention legislation, the Commission shall immediately notify of it the specially authorised anti-corruption agencies. The High Qualification Commission of Judges of Ukraine shall have the right to suspend the qualification assessment of that judge until a response is received from the specially authorised anti-corruption agencies.

7. In case of a judge (candidate for judicial office) being notified of suspicion of committing a criminal offence, the High Qualification Commission of Judges of Ukraine shall have the right to

suspend the qualification assessment of that judge (candidate for judicial office) until a court sentence enters into force or criminal proceedings are closed.

{Part 7 of Article 84 as amended by the Law [No. 2509-VIII of July 12, 2018](#)}

Article 85. Stages of qualification assessment

1. Qualification assessment shall include the following stages:

- 1) taking an examination;
- 2) examining the personal file and holding an interview.

The decision on the sequence of stages of qualification assessment shall be made by the High Qualification Commission of Judges of Ukraine.

2. The examination shall be the principal means of establishing the compliance of a judge (candidate for judicial office) with the criterion of professional competence, and it shall be conducted as follows: a participant takes an anonymously written test and completes a practical assignment in order to identify his/her level of knowledge, practical skills and abilities in the application of law and the ability to administer justice in the respective court of respective specialisation.

The procedure for conducting the examination and the method of establishing its results shall be approved by the High Qualification Commission of Judges of Ukraine.

Test questions and practical assignments of the examination shall be compiled, taking into account the principles of tiered subordination and specialisation.

The High Qualification Commission of Judges of Ukraine may review in plenary session the decisions made by its chamber or college regarding the results of a practical assignment performed by a participant of the examination.

{Part 2 of Article 85 was supplemented with a new paragraph in accordance with the Law [No. 2509-VIII of July 12, 2018](#)}

The High Qualification Commission of Judges of Ukraine shall be obliged to ensure the transparency of the examination. Any interested persons can be present at any stage of the examination and during the evaluation of the results.

3. For the purposes of compiling the personal file of a judge (candidate for judicial office), the High Qualification Commission of Judges of Ukraine may decide to introduce and conduct other tests to verify his/her personal moral and psychological qualities and general abilities as well as to use other means of verifying compliance of a judge (candidate for judicial office) with the criteria of qualification assessment.

A decision of the Commission on introducing and conducting other tests may not be applied to a particular judge or group of judges alone.

4. The personal file of a judge must contain:

- 1) copies of all career-related applications of the judge and documents attached to them;
- 2) copies of all decisions made regarding the judge by the High Qualification Commission of Judges of Ukraine, the High Council of Justice, judicial self-government bodies, the President of Ukraine or other bodies that made respective decisions;
- 3) information on the results of the judge's participation in competitions for judicial offices;
- 4) information on the results of special training for candidates for judicial office or in-service judge training held at the National School of Judges of Ukraine;
- 5) information on the results of the judge's qualification assessments and regular assessments during his/her tenure of office;
- 6) information on his/her teaching activities;

- 7) information on administrative positions held by the judge with copies of relevant decisions;
- 8) information on the judge's election (appointment) to judicial self-government bodies, the High Qualification Commission of Judges of Ukraine, or the High Council of Justice;
- 9) information on the efficiency of the judge's administration of justice, in particular:
 - a) the total number of cases heard;
 - b) the number of overturned court decisions and the grounds for their overturning;
 - c) the number of decisions that led to international judicial institutions and other international organisations adopting decisions which established violations of Ukraine's international legal obligations;
 - d) the number of altered court decisions and the grounds for their alteration;
 - e) compliance with procedural time limits;
 - f) the average duration of preparation of the text of a reasoned decision;
 - g) judicial workload compared to other judges in the respective court and region, taking into account the instance and specialisation of the court and the judge;
- 10) information on disciplinary sanctions against the judge, in particular:
 - a) the number of complaints about the actions of the judge;
 - b) the number of disciplinary proceedings and their results;
- 11) information on the judge's compliance with the rules of professional ethics:
 - a) information on the correspondence between the spending and assets of the judge, his/her family members and other close relatives and their declared income, including copies of relevant declarations submitted by the judge in accordance with corruption prevention legislation;
 - b) other data on the judge's compliance with the requirements of corruption prevention legislation;
 - c) data on the compliance of the judge's conduct with the rules of judicial ethics;
- 12) information on the judge's compliance with the criterion of integrity, in particular, correspondence between the spending and assets of the judge and his/her family members and their declared income, including copies of relevant declarations submitted by the judge in accordance with this Law and corruption prevention legislation;
- 13) the judge's declarations of family ties and declarations of integrity;
- 14) results of tests of the judge's compliance with the qualification assessment criteria (if any);
- 15) results of other means of establishing the judge's compliance with the qualification assessment criteria being used (if any);
- 16) the opinion of the Public Integrity Council (if any);
- 17) other information and data on the basis of which the judge's compliance with the qualification assessment criteria can be established, as well as any other information about the judge recognised by the decision of the High Qualification Commission of Judges of Ukraine as subject to inclusion in the judge's personal file.

The personal file of a candidate for judicial office must contain:

- 1) documents submitted by the candidate for judicial office in accordance with [part 4](#) of Article 81 of this Law;
- 11) information on the candidate for judicial office's compliance with the criterion of professional ethics:

3) materials of the special background check and other information on the candidate for judicial office's compliance with the criterion of integrity, in particular, correspondence between the spending and assets of the candidate for judicial office and his/her family members and their declared income, including copies of declarations submitted in accordance with this Law and corruption prevention legislation;

4) other information and materials specified in [clauses 6](#), [13-17](#) of part 4 of this article.

6. The personal file of a judge (candidate for judicial office) shall be compiled and maintained in an automated system. The originals of some documents may, according to the decision of the High Qualification Commission of Judges of Ukraine, be kept in paper form as well.

Compiling and maintenance of the personal file of a judge (candidate for judicial office) shall be carried out as prescribed by the High Qualification Commission of Judges of Ukraine after consultations with the Council of Judges of Ukraine.

7. The personal file of a judge (candidate for judicial office) shall be open for public access on the official website of the High Qualification Commission of Judges of Ukraine, except for:

1) information on natural persons' places of residence or stay, dates of birth, their addresses, numbers of telephones or other means of communication, e-mail addresses, registration numbers of taxpayers' registration cards, series and numbers of passports, military service record cards, location of properties (except for the region, district, and populated place where the property is located), registration numbers of vehicles;

2) information on the results of testing conducted to verify the personal moral and psychological qualities of the judge (candidate for judicial office), general abilities of the judge (candidate for judicial office), as well as medical information;

3) any information and data on minor children, except for information on the property, property rights, assets, other declarable objects owned by them in accordance with the declaration of a person authorised to perform government or local self-government functions which have to be submitted by the judge (candidate for judicial office);

4) information containing a state secret.

As public information, the personal file of a judge (except for the data mentioned above in part 7 of this article) shall be accessed exclusively through the website of the High Qualification Commission of Judges of Ukraine.

8. Full and direct access to the personal file of a judge (candidate for judicial office) shall be provided to members and authorised employees of the secretariats of, respectively, the High Qualification Commission of Judges of Ukraine and the High Council of Justice as well as authorised employees of the State Judicial Administration of Ukraine.

A judge (candidate for judicial office) shall be provided with full access to his/her personal file.

9. An interview shall mean discussing the results of the personal file examination.

10. Based on the results of one stage of a judge's qualification assessment, the High Qualification Commission of Judges of Ukraine shall make a decision on allowing the judge to enter another stage of the qualification assessment.

Article 86. Obtaining information during qualification assessment

1. To compile the personal file of a judge (candidate for judicial office) and conduct the qualification assessment of a judge (candidate for judicial office), the High Qualification Commission of Judges of Ukraine shall have the right to receive for free information and copies of documents and materials (including restricted-access ones) on the judge (candidate for judicial office) and members of his/her family or close relatives from any persons who own or administer the requested information (documents, materials). Such persons shall be obliged to provide the requested information (documents, materials) within ten days from the date of receipt of the request.

2. If the owner (administrator) keeps such information (documents, materials) in electronic form, it shall be provided to the High Qualification Commission of Judges of Ukraine in electronic form (if technically possible).

3. The High Qualification Commission of Judges of Ukraine shall have the right to direct requests and issue joint orders with the owners or administrators of the requested information.

4. Any person (except for a government body) who has received a request from the High Qualification Commission of Judges of Ukraine may refuse to provide information (documents) containing state, professional, pre-trial investigation, banking secrets or secret information on health status. Such secrets shall be disclosed upon a court decision issued on the request of the Commission and in the manner and on the grounds prescribed by law.

5. If it becomes necessary to send a request specified in part 1 of this article, the High Qualification Commission of Judges of Ukraine shall have the right to suspend the qualification assessment for the period necessary to obtain such information. Depending on the importance of the information the incompleteness or inaccuracy of which was revealed during the qualification assessment, the High Qualification Commission of Judges of Ukraine may make a submission to the High Council of Justice requesting a temporary suspension of a judge from the administration of justice until the end of the qualification assessment.

6. If the High Qualification Commission of Judges of Ukraine makes a submission specified in part 5 of this article, it shall be subject to immediate consideration by the High Council of Justice.

7. Failure to provide information to the High Qualification Commission of Judges of Ukraine as well as providing knowingly inaccurate information shall result in statutory sanctions being imposed on perpetrators.

Article 87. The Public Integrity Council

1. The Public Integrity Council shall be established to assist the High Qualification Commission of Judges of Ukraine in establishing the compliance of a judge (candidate for judicial office) with the criteria of professional ethics and integrity for the purposes of qualification assessment.

2. The Public Integrity Council shall consist of twenty members.

3. Representatives of human rights public associations, legal scholars, lawyers, and journalists who are recognised experts in their field, have a high professional reputation and meet the criteria of political neutrality and integrity may become members of the Public Integrity Council.

The following persons may not be members of the Public Integrity Council:

1) persons deemed by a court to be incapable or to have limited legal capacity;

2) persons having a criminal record that has not been expunged or annulled in the manner prescribed by law;

3) persons on whom any administrative sanctions were imposed during the previous year for any corruption offence;

4) persons who have been employed (have served) in the prosecution service, the Ministry of Internal Affairs of Ukraine, the police, other law enforcement agencies, the tax police, the Security Service of Ukraine, customs authorities, the National Anti-Corruption Bureau of Ukraine, National Agency for the Prevention of Corruption at any time in the last five years;

5) persons who have been in the civil service at any time in the last five years;

6) persons who are judges or retired judges.

5. The Public Integrity Council shall operate in four colleges, each of them consisting of five members of the Council.

A college of the Public Integrity Council shall act on behalf of the Council.

The Public Integrity Council shall;

- 1) collect, verify and analyse information on a judge (candidate for judicial office);
- 2) provide the High Qualification Commission of Judges of Ukraine with information on a judge (candidate for judicial office);
- 3) submit, if appropriate grounds are present, to the High Qualification Commission of Judges of Ukraine an opinion on the non-compliance of a judge (candidate for judicial office) with the criteria of professional ethics and integrity, which opinion shall be attached to the personal file of the candidate for judicial office or the judge;
- 4) delegate an authorised representative to participate in a meeting of the High Qualification Commission of Judges of Ukraine on the qualification assessment of a judge (candidate for judicial office);
- 5) have the right to establish an information portal for collecting information on professional ethics and integrity of judges and candidates for judicial office.

7. To exercise the powers specified in this article, members of the Public Integrity Council shall be granted the right to free and full access to open state registers.

8. A member of the Public Integrity Council shall be obliged to self-recuse from participating in consideration of the matter of issuing an opinion on the non-compliance of a judge (candidate for judicial office) with the criteria of professional ethics and integrity in the following cases:

- 1) if he/she maintains a friendly or other personal relationship with the judge or the candidate for judicial office;
- 2) if he/she is involved in cases that have been considered or are being considered by such a judge;
- 3) if there are other circumstances or conflicts of interest, putting in doubt his/her impartiality.

9. Members of the Public Integrity Council shall be appointed by a conference of representatives of public associations for a term of two years and may be reappointed.

10. Conference of representatives of public associations shall be convened by the Chairperson of the High Qualification Commission of Judges of Ukraine. The announcement of a conference shall be published on the official website of the Commission.

11. Conference of representatives of public associations shall be attended by public organisations or public unions that have been carrying out activities aimed at fighting corruption, protecting human rights, and supporting institutional reforms, including through implementing projects in these areas, at least for the two years immediately prior to the day of the conference.

12. Public organisations or public unions that have carried out or are carrying out activities involving international technical assistance provided by the government and local self-government bodies, institutions, organisations or enterprises of a country recognised by the Verkhovna Rada of Ukraine as an aggressor, or financed by them, may not participate in the conference of representatives of public associations.

13. To participate in a conference, public associations shall submit within fifteen days from the date of publication of the announcement on the convening of the conference of representatives of public associations:

- 1) an informal application, signed by the head of the public association and indicating the person authorised to represent the public association at the conference;
- 2) a copy of the charter and an extract from the Unified State Register of Legal Entities and Individual Entrepreneurs;

3) copies of reports on the results of implementing projects involving international technical assistance (if any);

4) a letter of recommendation indicating successful experience of cooperation from an international organisation with an impeccable reputation or from an implementer of an international technical assistance project;

5) copies of reports on the results of financial audit of at least two implemented projects which involved international technical assistance or a copy of a report on the results of the audit of the activities of the public association;

6) biographical information on the representative of the public association;

7) biographical information on the candidate(s) to the Public Integrity Council nominated by the public association, as well as the candidate's motivation letter and his/her declaration of a person authorised to perform government or local self-government functions, signed by him/her.

14. The matter of compliance of a public association with the requirements for participation in a conference of representatives of public associations shall be resolved by the High Qualification Commission of Judges of Ukraine within ten days from the date of receipt of the application and attached documents.

15. The list of public associations that meet the requirements for participation in a conference of representatives of public associations, copies of documents submitted by them, as well as the list of candidates for the Public Integrity Council shall be published on the official website of the High Qualification Commission of Judges of Ukraine.

16. The time and venue of the conference of representatives of public associations shall be determined by the Chairperson of the High Qualification Commission of Judges of Ukraine, who shall send the appropriate invitations to participate in the conference to public associations. The notice of the time and place of the conference of representatives of public associations shall be made public on the official website of the High Qualification Commission of Judges of Ukraine not later than ten days before the conference is to be held.

17. A conference of representatives of public associations shall be deemed quorate if at least five public associations participate in it.

Conferences of public associations shall be held openly.

18. The procedure for holding a conference of representatives of public associations shall be determined by a decision of the conference.

19. The Public Integrity Council shall be deemed quorate if at least ten members have been appointed to it.

20. The list of appointed members of the Public Integrity Council shall be sent to the secretariat of the High Qualification Commission of Judges of Ukraine for publication on the official website of the Commission within five days from the date of completion of the conference of representatives of public associations.

Article 88. Decisions of the High Qualification Commission of Judges of Ukraine

1. The High Qualification Commission of Judges of Ukraine shall make a reasoned decision to confirm or refuse to confirm the ability of a judge (candidate for judicial office) to administer justice in the respective court.

Should the Public Integrity Council establish in its opinion that a judge (candidate for judicial office) does not meet the criteria of professional ethics and integrity, the High Qualification Commission of Judges of Ukraine may adopt a decision confirming the ability of that judge (candidate for judicial office) to administer justice in the respective court only if this decision is supported by not less than eleven members thereof.

{Part 1 of Article 88 was supplemented with paragraph 2 in accordance with the Law [No. 1798-VIII of December 21, 2016](#)}

2. A judge (candidate for judicial office) who disagrees with the decision of the High Qualification Commission of Judges of Ukraine regarding his/her qualification assessment may appeal this decision in the manner prescribed by the [Code of Administrative Procedure of Ukraine](#).

3. A decision of the High Council of Justice based on the results of a qualification assessment may be appealed and overturned only on the following grounds:

1) the members of the High Qualification Commission of Judges of Ukraine who conducted the qualification assessment did not have the powers to do so;

2) the decision was not signed by a member of the High Qualification Commission of Judges of Ukraine who participated in its adoption;

3) the judge (candidate for judicial office) was not duly notified of the qualification assessment if the decision not to confirm the ability of the judge (candidate for judicial office) to administer justice in the respective court was taken on the grounds of his/her failure to attend the qualification assessment;

4) the decision does not refer to the statutory grounds for it or to the reasons based on which the Commission reached its findings.

Chapter 2. Judges training and regular evaluation

Article 89. Judge training to maintain qualifications

1. A Judge is required to undergo training at the National School of Judges of Ukraine to maintain his/her qualifications.

2. The judge shall undergo training to maintain qualifications at least every three years. Such training shall be at least 40 academic hours during every three years of the judge's tenure.

3. The National School of Judges of Ukraine shall provide training of judges to maintain qualifications responding to the need to improve their knowledge, abilities and skills, depending on the experience of judges, level and specialisation of the court where they work, and taking into account their individual needs.

To this end, the National School of Judges of Ukraine shall organise training sessions which are mandatory within the training and trainings which the judge is free to choose depending on his/her needs.

Article 90. Objectives and procedure for regular evaluation of judges

1. Regular evaluation of a judge during his/her term of office is aimed at identifying individual needs of a judge in improvement, encouraging him/her to maintain the required level of his/her qualifications, and professional growth.

2. Regular evaluation of a judge shall be carried out by:

1) professors (trainers) of the National School of Judges of Ukraine based on the results of training by filling in a questionnaire;

2) other judges of the relevant court by means of a questionnaire;

3) the judge himself/herself by filling in a self-evaluation questionnaire;

4) civic associations by means of independent evaluation of the judge's work in court sessions.

3. Based on the results of each session, during the judge's training, the professor (trainer) shall fill in an evaluation questionnaire with respect to the judge, which shall include:

1) evaluation of:

a) the judge's knowledge, abilities and skills;

- b) accuracy and timeliness of tasks;
 - c) analytical abilities, ability to assess information;
 - d) ability to interact with colleagues (ability to negotiate, work in a team, work under pressure, etc);
 - d) communication skills (document writing, speaking, etc.);
 - e) the judge's strengths;
- 2) recommendations for the judge regarding the areas of self-improvement or additional training.

4. The National School of Judges of Ukraine shall make the judge aware of the questionnaire no later than five days upon completion of the respective training. The judge has the right to submit his/her objections to the evaluation results within ten days of receiving the questionnaire. Based on the review of the judge's objections, the professor (trainer) has the right to fill out a new evaluation questionnaire within five days. The judge's evaluation questionnaire upon completion of each training, the judge's objections regarding evaluation results and the questionnaire based on objections review shall be included in the judicial dossier.

5. Civic associations have the right to organise the independent evaluation of the judge's work in open court sessions. Results of the independent evaluation of the judge's work in a court session shall be recorded in the questionnaire containing information about the length of the proceedings, the judge's compliance with the rules of procedure and respect for the rights of parties to proceedings, a culture of communication, level of impartiality of the judge, level of satisfaction of parties to proceed with the conduct of the judge, comments on the conduct of proceedings and other information. The completed questionnaire of independent evaluation of the judge's work in court session may be included in the judge's dossier.

6. The procedure and methodology for evaluation and self-evaluation of the judge shall be approved by the Higher Qualification Commission of Judges of Ukraine.

Article 91. Importance of regular evaluation results

1. Regular evaluation results may be taken into account when considering the issue of holding a competition for a vacant position in the respective court.

Chapter 3. The High Qualification Commission of Judges of Ukraine

Article 92. Status of the High Qualification Commission of Judges of Ukraine

1. The High Qualification Commission of Judges of Ukraine is a state collegial judicial governance body operating on a permanent basis within the judiciary of Ukraine.

{Part one of Article 92 as amended by the Law No. [193-IX of 10.16.2019](#)}

2. The High Qualification Commission of Judges of Ukraine is a legal entity, has a seal with the image of the State Emblem of Ukraine and its name, an independent balance and accounts in the State Treasury Service of Ukraine.

3. The procedure for the operation of the High Qualification Commission of Judges of Ukraine shall be determined by this Law.

4. The High Qualification Commission of Judges of Ukraine, by a majority vote of its members determined by the law, shall approve the Rules of Procedure determining the procedure for the operation of the Commission within limits established by this Law.

5. The High Qualification Commission of Judges of Ukraine shall have an official website and an official bulletin, which are the official sources of information about the Commission's work. The official publication may be issued electronically.

Article 93. Powers of the High Qualification Commission of Judges of Ukraine

1. The High Qualification Commission of Judges of Ukraine shall:

- 1) maintain records on the number of judicial positions in courts, including vacant ones;
- 2) select candidates for the appointment to the position of a judge, inter alia organise a special background and security check in respect of them in accordance with the law and administer a qualification examination;
- 3) make a recommendation to the High Council of Justice on the appointment of a candidate for the position of a judge;
- 4) make a recommendation on the transfer of a judge in accordance with this Law, except for the transfer as a disciplinary sanction;
- 5) determine the needs for the state order for professional training of candidates for the position of a judge in the National School of Judges of Ukraine;
- 6) approve, in coordination with the High Council of Justice, the form and content of the application for participation in the selection of candidates for the position of a judge, the questionnaire of a candidate for the position of a judge, the procedure for special training of candidates for the position of a judge;

{Paragraph 6 part 1 of Article 93 as amended by the Law No. [193-IX of 16.10.2019](#)}

6¹) develop and submit for approval to the High Council of Justice the draft procedure for taking a selection examination and methodology for assessing its results, the procedure for taking a qualifying examination and the methodology for evaluating candidates, the regulation on holding a competition for the vacant position of a judge, the procedure and methodology for qualifying evaluation, the procedure for formation and management of the judicial dossier (dossier of a candidate for the position of a judge);

{Part one of Article 93 is supplemented with clause 6¹ in accordance with the Law [No. 193-IX of 10.16.2019](#)}

- 7) conduct a qualification evaluation;
- 8) ensure the management of a judicial dossier, a dossier of the candidate for the position of a judge;
- 9) within its competence participate in international cooperation, including the establishment of relations with foreign institutions, establishments and organisations, international technical assistance projects, shall be a beneficiary, recipient of international technical assistance, and chief administrator of international assistance from foreign States, banks and international financial organisations;
- 10) exercise other powers specified by law.

2. To exercise its powers, the High Qualification Commission of Judges of Ukraine has the right to request and receive the necessary information from judges, courts, the State Judicial Administration of Ukraine, judicial self-government bodies, other bodies and institutions in the justice system, state authorities and local self-government bodies, their officials, enterprises, institutions, organisations, regardless of the form of ownership and subordination, associations of citizens and individuals. Failure to provide such information at the request of the Commission shall entail liability established by law.

11. Members and authorised employees of the Secretariat of the High Qualification Commission of Judges of Ukraine shall have direct access to automated information and database systems, registers and databanks held or administered by central government or local self-government bodies, use state (including governmental) means of communication, special communication networks and other technical tools.

4. Information shall be processed by members and authorised employees of the Commission in compliance with the legislation on personal data protection and ensuring secrecy protected by law.

5. Information containing state secrets shall be accessed in accordance with the procedure established by the legislation on the protection of state secrets.

Article 94. Members of the High Qualification Commission of Judges of Ukraine

1. *{Part one of Article 94 was recognised as inconsistent with the Constitution of Ukraine (unconstitutional), according to the Decision of the Constitutional Court [No. 4-p/2020 of 03.11.2020](#)}* The High Qualification Commission of Judges of Ukraine shall consist of twelve members appointed by the High Council of Justice based on a competitive examination for a term of four years.

2. A citizen of Ukraine who is at least thirty-five years old, speaks the state language, has a complete higher legal education and has at least fifteen years of professional experience in the field of law, belongs to the legal profession and meets the political neutrality criterion, may be appointed as a member of the High Qualification Commission of Judges of Ukraine.

The member of the High Qualification Commission of Judges of Ukraine shall not be a member of political parties, trade unions and shall not participate in any political activities.

3. The member of the High Qualification Commission of Judges of Ukraine who is a judge or a civil servant shall retain his/her position, status and place of work during his/her term of office. While exercising their powers, such members of the High Qualification Commission of Judges of Ukraine shall be seconded to the Commission.

Members of the High Qualification Commission of Judges of Ukraine who are lawyers shall be obliged to suspend their advocacy activity and participation in the advocacy self-government bodies during their term of office in the Commission.

4. The member of the High Qualification Commission of Judges of Ukraine shall not occupy his/her position alongside with any other involvement in a state authority or local self-government body, bodies of judicial, lawyer's or prosecutorial self-governance, being members of the Parliament of Ukraine, members of the Parliament of the Autonomous Republic of Crimea, members of the oblast, district, city, city district, village, or township councils, being involved in business activities or any other salaried position, being involved in any other paid work or receiving other salaries than that of the member of the High Qualification Commission of Judges of Ukraine (with the exception of lecturing, research, or creative activities and the remuneration for it) or being a member of management or supervisory boards of legal entities that are aimed at making a profit.

5. Members of the High Qualification Commission of Judges of Ukraine shall be subject to requirements and restrictions established by the anti-corruption legislation.

6. A person who holds shares or has other corporate rights, property rights or ownership interest in any for-profit legal entity shall be obliged to place such shares (corporate rights), or other relevant rights under the management of an independent third party for the duration of the term in office as a member of the High Qualification Commission of Judges of Ukraine (without the right of instructing that party on the management of the shares or corporate or other rights or the exercise of associated rights). The member of the High Qualification Commission of Judges of Ukraine may receive interest, dividends or other passive income from their own property.

7. The Members of Parliament of Ukraine, members of the Cabinet of Ministers of Ukraine, chairmen of courts, their deputies, secretaries, chairmen of judicial chambers, their deputies, members of the Council of Judges of Ukraine, the High Council of Justice, the Ukrainian Parliament Commissioner for Human Rights may not be appointed to the High Qualification Commission of Judges of Ukraine.

Persons who have been prosecuted for committing a corruption offence cannot be appointed to the High Qualification Commission of Judges of Ukraine.

8. The following may not be members of the High Qualification Commission of Judges:

1) persons deemed by a court to be incapable or to have limited legal capacity;

2) persons having a criminal record that has not been expunged or annulled in the manner prescribed by law;

3) persons on whom any administrative sanctions were imposed during the previous year for any corruption offence;

4) persons who were members of the High Qualification Commission of Judges of Ukraine, the High Council of Justice;

5) persons holding administrative positions in courts and judicial authorities;

6) persons who do not meet the requirements of this Law on incompatibility with other types of activity and have not eliminated such inconsistency within a reasonable time, but not more than within thirty days from the date of occurrence of circumstances that lead to violation of the incompatibility requirements.

9. In their activities and beyond, members of the High Qualification Commission of Judges of Ukraine must uphold the highest standards of ethical conduct, including the principles and rules of ethics applicable to judges.

10. The membership in the High Qualification Commission of Judges of Ukraine shall also be incompatible with any existing restriction on holding offices that are subject to cleansing under the procedures established by the Law of Ukraine "[On Lustration](#)".

{Article 94 as amended by the Law [No. 193-IX of 10.16.2019](#)}

Article 95. Procedure for the appointment of members of the High Qualification Commission of Judges of Ukraine

1. Members of the High Qualification Commission of Judges of Ukraine shall be appointed by the High Council of Justice based on a competitive examination in accordance with the procedure prescribed by this Law.

2. The competition for the position of a member of the High Qualification Commission of Judges of Ukraine shall be held by the High Council of Justice based on the principles of the rule of law, publicity and political neutrality in accordance with the procedure prescribed by this Law.

3. A person who meets the requirements determined by this Law for a member of the High Qualification Commission of Judges of Ukraine and intends to be appointed a member of the High Qualification Commission of Judges of Ukraine shall file an application to the Secretariat of the High Council of Justice.

The application form shall be approved by the High Council of Justice.

4. Along with the application of intent to be appointed a member of the High Qualification Commission of Judges of Ukraine, the relevant person shall submit:

1) autobiography;

2) motivation letter setting out the reasons for being appointed as a member of the High Qualification Commission of Judges of Ukraine;

3) copy of the identity document confirming the citizenship of Ukraine;

4) copy of the employment record book (if available);

5) declaration of the person authorised to perform functions of the state or local self-government;

6) copies of documents on education, academic titles and scientific degrees;

7) a medical certificate issued by a healthcare institution confirming the candidate's eligibility for the position involving the execution of government functions;

8) copy of a military service record card (applicable to military servicemen or persons liable to the military service);

9) written consent for the processing of personal data and disclosure of copies of documents specified by this Article (except for the copies of documents referred to in [paragraphs 3, 7 and 8](#) of this clause;)

10) written statement on the absence of restrictions on membership in the High Qualification Commission of Judges of Ukraine and on compliance with the incompatibility requirements or the obligation to comply with the incompatibility requirements in case of appointment as a member of the Commission;

11) application for conducting verification determined by the [Law of Ukraine](#) "On Lustration";

13) consent to a background and security check according to the law.

5. The Secretariat of the High Council of Justice shall accept the documents in chronological order of receipt of applications and, no later than the next working day, shall publish the received information together with copies of the submitted documents (except for the documents provided for in [paragraphs 3, 7, 8](#) of part four of this Article) on its official website.

6. The documents shall be accepted until 12 am of the last day of the deadline for submission of documents set by the High Council of Justice.

The Secretariat of the High Council of Justice may not refuse the acceptance of documents on any grounds other than the expiry of the established deadline.

7. No later than the day following the end of documents submission, the Secretariat of the High Council of Justice shall form a list of candidates, which shall be immediately published on the official website of the High Council of Justice.

8. Notification of the time and venue of the competition shall be published in the newspaper "Holos Ukrainy" and make public on the website of the High Council of Justice no later than 10 days before the start of the competition.

9. The Secretariat of the High Council of Justice shall ensure a special background and security check of candidates in respect of whom the Competition Commission has made such a decision.

{Article 95 as amended by the Law [No. 2509-VIII of 12.07.2018](#); as amended by the Law [No. 193-IX of 16.10.2019](#)}

Article 95⁻¹. Competition Commission for holding a competition for the position of a member of the High Qualification Commission of Judges of Ukraine

1. The High Council of Justice shall form a Competition Commission and approve its personal membership for holding a competition for taking the position of a member of the High Qualification Commission of Judges of Ukraine.

The Competition Commission shall consist of:

1) three persons elected by the Council of Judges of Ukraine from among its members;

2) three-person from among international experts proposed by international organisations with whom Ukraine cooperates in the field of preventing and combating corruption in accordance with international treaties of Ukraine, to the Public Council of International Experts, formed in accordance with the [Law of Ukraine](#) "On the High Anti-Corruption Court".

The procedure for receiving proposals by the High Council of Justice from international and foreign organisations in respect of persons from among international experts shall be determined by the competition regulations.

2. The competition regulations shall be approved by the High Council of Justice.

The operating procedures of the Competition Commission shall be adopted by the members of the Commission at its first meeting.

3. The decision of the Competition Commission shall be deemed adopted if a majority of the present members of the Competition Commission voted for it, provided that three persons of those who voted for this decision are international experts.

A member of the Competition Commission has the right to participate in meetings and decision-making of the Commission remotely using electronic means of communication.

4. The Competition Commission has the right to:

1) collect, verify and analyse information about candidates for the position of a member of the Higher Qualification Commission of Judges of Ukraine;

2) provide the High Council of Justice and request information from it regarding candidates for the position of a member of the High Qualification Commission of Judges of Ukraine;

3) take measures to protect personal data, restricted information that has become known to the members of the Competition Commission in connection with the exercise of their powers.

5. A member of the Competition Commission shall be obliged to:

1) participate in its work personally, without the right to delegate his/her powers to other persons;

2) not to use personal data and other information that has become known in connection with participation in the work of the Competition Commission other than for the performance of their duties;

3) refuse to participate in the collection of information about the candidate, considering the candidate suitability for the position, if a member of the Competition Commission is or was in a personal or business relationship with the candidate and/or in the case of other conflicts of interest or circumstances which may affect the objectivity or impartiality when making a decision by the member of the Commission on taking the position of a member of the High Qualification Commission of Judges of Ukraine by the candidate.

6. Organisational and technical support of the Competition Commission activities shall be provided by the High Council of Justice.

The Competition Commission activities may be funded with the involvement of international technical assistance.

Members of the Competition Commission who do not permanently reside on the territory of Ukraine are entitled to reimbursement of living expenses in Ukraine and travel expenses.

7. The Competition Commission shall:

1) review the documents submitted by candidates for the position of a member of the High Qualification Commission of Judges of Ukraine;

2) selects from the total number of candidates those who, in accordance with the reasoned decision of the Competition Commission, have the best professional experience, knowledge and quality to perform the duties of a member of the High Qualification Commission of Judges of Ukraine and meet the requirements of the law;

3) publish on the official website of the High Council of Justice information about candidates selected for an interview with the Competition Commission;

4) interview the selected candidates at its meeting, select by open vote from among the candidates, who passed the interview, for each vacant position one candidate who meets the requirements for a member of the High Qualification Commission of Judges of Ukraine and, in accordance with the reasoned decision of the Competition Commission, has the best professional experience, knowledge and qualities to perform the duties of a member of the High Qualification Commission of Judges of Ukraine.

8. Members of the High Qualification Commission of Judges of Ukraine shall be appointed by making a decision by the High Council of Justice during its session based on the minutes of

the Competition Commission signed by all its members present at the relevant session of the Competition Commission during drafting such minutes.

9. In case of early termination of the powers of the member of the High Qualification Commission of Judges of Ukraine, within ten days the High Council of Justice shall publish an announcement on the terms and conditions of the competition on the official website of the High Council of Justice.

{The Law is supplemented by Article 95¹ in accordance with the Law [No. 193-IX of 10.16.2019](#)}

Article 96. Dismissal of the member of the High Qualification Commission of Judges of Ukraine

1. The member of the High Qualification Commission of Judges of Ukraine may be dismissed on the following grounds:

- 1) submission of a letter of resignation from the position of a member of the Commission;
- 2) inability to exercise his/her powers due to health reasons (confirmed by a medical certificate);
- 3) identification of circumstances regarding his/her non-compliance with the requirements established by this Law;
- 4) violation of requirements established by the anti-corruption legislation;
- 5) non-participation in the work of the Commission for one consecutive calendar month without reasonable excuse or repeated refusal to vote on the issues under consideration without reasonable excuse;
- 6) gross or systematic neglect of duties that is incompatible with the status of a member of the High Qualification Commission of Judges of Ukraine or that has shown his/her inadequacy for the position held admitting other behaviour that undermines the authority and public confidence in justice and the judiciary, including non-compliance with the ethical standards of a judge as a component of the professional ethics of a member of the High Qualification Commission of Judges of Ukraine;

2. The decision to dismiss a member of the High Qualification Commission of Judges of Ukraine shall be made by the High Council of Justice at its session by a majority vote of its members determined by the [Law of Ukraine](#) "On the High Council of Justice".

3. The decision to dismiss a member of the High Qualification Commission of Judges of Ukraine on the grounds specified in [paragraphs 1](#) and [2](#) of part one of this Article shall be made by the High Council of Justice at the next session upon receipt of the application.

4. The decision to dismiss a member of the High Qualification Commission of Judges of Ukraine on the grounds specified in [paragraphs 3-6](#) of part one of this Article shall be made by the High Council of Justice on the basis of the submission of the Commission on Integrity and Ethics established in accordance with the [Law of Ukraine](#) "On the High Council of Justice". Such member of the Commission shall be removed from the office from the date of the specified submission.

5. In the grounds for dismissal of a member of the High Qualification Commission of Judges of Ukraine specified in [paragraphs 3-6](#) of this Article are established, the High Qualification Commission of Judges of Ukraine by its decision may make a submission to the High Council of Justice to dismiss the respective member of the Commission. From the date of the Commission's decision to make the said submission, such a member of the Commission shall be removed from office and his/her powers shall be suspended until a decision of the High Council of Justice is made.

6. The procedure for consideration and making a decision on the dismissal of a member of the High Qualification Commission of Judges of Ukraine shall be carried out in accordance with the requirements of the [Rules of Procedure of the High Council of Justice](#).

{Article 96 as amended by the Law [No. 193-IX of 10.16.2019](#)}

Article 97. Termination of powers of the member of the High Qualification Commission of Judges of Ukraine

1. Powers of the member of the High Qualification Commission of Judges of Ukraine shall be terminated in the following cases:

- 1) expiration of the term for which the member was elected (appointed);
- 2) entry into force of a judgment of guilt against him/her;
- 3) termination of the citizenship of Ukraine or acquisition of foreign citizenship;
- 4) a declaration by the court with regard to the member as missing, dead, who is recognised as incapable or partially incapacitated;
- 5) death of the Commission member;

{Paragraph 6 of part one of Article 97 was excluded on the basis of the Law [No. 193-IX of 16.10.2019](#)}

7) entry into force of the court decision on the recognition of his assets or assets acquired on his behalf by other persons or in other cases provided for by [Article 290](#) of the Civil Procedural Code of Ukraine, unreasonable and their collection to state revenue.

{Part one of Article 97 was supplemented with paragraph 7 in accordance with the Law [No. 263-IX of 10.31.2019](#)}

2. The termination of powers of the member of the High Qualification Commission of Judges of Ukraine on the grounds set forth by part one of this Article shall take effect upon the occurrence of the relevant event.

Article 98. The organisation of work and meetings of the High Qualification Commission of Judges of Ukraine

1. The Plenary of the High Qualification Commission of Judges of Ukraine shall elect the Chairman of the High Qualification Commission of Judges of Ukraine and the Deputy Chairman, who are the chairmen of the chambers, and the Secretaries of the chambers of the High Qualification Commission of Judges of Ukraine, by secret ballot by a majority vote of the total membership. This meeting shall be chaired by the member of the High Qualification Commission of Judges of Ukraine, who has the longest professional experience in the field of law.

2. The Chairman of the High Qualification Commission of Judges of Ukraine shall organise the work of the Commission, determine the duties of the Deputy Chairman, preside over the meetings of the Commission, prepare the meetings of the High Qualification Commission of Judges of Ukraine and organise records management.

3. In the absence of the Chairman of the High Qualification Commission of Judges of Ukraine, his/her duties shall be performed by the Deputy Chairman of the Commission, and in the absence of the Deputy Chairman - by the member of the Commission elected under the quota of the Congress of Judges of Ukraine who has a greater length of service as a judge.

4. The Chairman of the High Qualification Commission of Judges of Ukraine shall issue orders, regulations and instructions that are binding on the members of the High Qualification Commission of Judges of Ukraine and the Secretariat employees.

{Part four of Article 98 as amended by the Law [No. 193-IX of 10.16.2019](#)}

5. The Secretaries of the chambers of the High Qualification Commission of Judges of Ukraine shall prepare sessions of the chambers and shall be responsible for the organisation of records management in these chambers.

6. To distribute cases in the High Qualification Commission of Judges of Ukraine, there is an automated system for determining a member of the High Qualification Commission of Judges of Ukraine, who shall prepare the case for consideration and report on it.

The Regulations on the automated system for determining members of the Commission for the preparation of the cases for consideration and reporting on them shall be approved by the High Qualification Commission of Judges of Ukraine.

7. The Chairmen of the chambers of the High Qualification Commission of Judges of Ukraine shall organise the work of the chambers and preside over the sessions of the chambers. The duties of the Chairmen of the chambers in their absence shall be performed by the members of the chambers appointed under the quota of the Congress of Judges of Ukraine who have a greater length of service as a judge

8. The High Qualification Commission of Judges of Ukraine shall approve the Rules of Procedure regulating the procedural issues of its activities in accordance with this Law.

9. The meetings of the High Qualification Commission of Judges of Ukraine, its chambers and panels shall be held in public, except in cases established by law.

10. A meeting of the Commission or its chambers shall have the quorum if attended by a majority of the members of the Commission or chamber respectively.

A meeting of the panel shall have the quorum if attended by all members of the Board.

11. The Chairman of the High Qualification Commission of Judges of Ukraine shall determine the date, time and place of the Commission meeting, the list of issues to be considered at the meeting, and no later than ten days before the meeting shall notify the person in respect of whom the issue is to be considered, and shall publish this information on the official website of the High Qualification Commission of Judges of Ukraine (except for organisational meetings).

12. The Chairmen of the chambers of the Commission shall determine the date, time and place of meetings of the respective chambers, the list of issues to be considered at the meeting, and no later than ten days before the meeting shall notify the persons in respect of whom the issue is to be considered and shall publish this information on the official website of the High Qualification Commission of Judges of Ukraine.

13. The Secretariat of the High Qualification Commission of Judges of Ukraine shall notify the persons in respect of whom the issue is to be considered of the date, time and place of the meeting of the appropriate panel not later than ten days before such meeting and shall publish this information on the official website of the High Qualification Commission of Judges of Ukraine.

Article 99. Rights of the member of the High Qualification Commission of Judges of Ukraine

1. The Member of the High Qualification Commission of Judges of Ukraine shall have the right to:

1) review the materials submitted for consideration of the Commission, the relevant chamber of which he is a member, the panel, participate in their examination and verification;

2) submit his/her opinions and reasoning, as well as additional documents, regarding the issues under review;

3) submit proposals on the draft decision of the High Qualification Commission of Judges of Ukraine on any issues and vote "for" or "against" a particular decision;

4) express a written dissenting opinion on the decision of the High Qualification Commission of Judges of Ukraine;

5) exercise other powers established by law.

Article 100. Recusal of the member of the High Qualification Commission of Judges of Ukraine

1. The Member of the High Qualification Commission of Judges of Ukraine shall not have the right to participate in consideration of an issue and decision-making and is subject to recusal (self-recusal) if there is evidence of a conflict of interests or circumstances questioning his/her impartiality.

If such circumstances exist, the member of the High Qualification Commission of Judges of Ukraine must recuse himself/herself. On the same grounds, a recusal of the member of the Commission may be requested by persons in respect of whom or upon whose submission the issue is considered.

2. The recusal shall be motivated and submitted prior to consideration of the issue in the form of a written request. In case of the recusal request towards a member of the Commission, the Chairperson of the session must inform this member of the request.

3. The decision on recusal (self-recusal) shall be adopted by a majority vote of the members of the High Qualification Commission of Judges of Ukraine participating in the meeting. Voting shall be held in the absence of the Commission member, whose recusal (self-recusal) is under consideration.

Article 101. The decision of the High Qualification Commission of Judges of Ukraine

1. The decision of the High Qualification Commission of Judges of Ukraine at a plenary session shall be adopted by the majority of the Commission members established by this Law. The voting shall be held in the absence of the person in respect of whom the issue is considered, and other persons who are not members of the Commission.

2. The decision of the chamber of the High Qualification Commission of Judges of Ukraine shall be adopted by a majority of the chamber members, taking into account the members of the other chamber if they are involved in consideration of the relevant issue.

3. The decision of the panel of the High Qualification Commission of Judges of Ukraine shall be adopted by a majority vote.

4. The chambers and panels of the High Qualification Commission of Judges of Ukraine shall adopt their decisions on behalf of the High Qualification Commission of Judges of Ukraine, stating the composition of the chamber or panel that considered a particular case.

The High Qualification Commission of Judges of Ukraine may revise decisions approved by its chamber or panel as to the admission to the competition or selection procedures

{Part 5 of Article 101 was supplemented with paragraph 2 in accordance with the Law [No. 1798-VIII of July 12, 2018](#)}

5. The decisions of the High Qualification Commission of Judges of Ukraine, its chambers and panels shall be issued in writing. The decision shall indicate the date and place of the decision adoption, the composition of the Commission (chamber, panel), the issue under consideration and the reasons for the adopted decision.

The decision shall be signed by the Chairman and members of the Commission (chamber, panel) who participated in its adoption.

6. If there is a dissenting opinion of the member of the High Qualification Commission of Judges of Ukraine, it shall be made in writing and attached to the case, as reported by the presiding judge at the meeting.

7. The Decisions of the High Qualification Commission of Judges of Ukraine may be appealed to the court on the grounds established by this Law.

8. The Decision of the High Qualification Commission of Judges of Ukraine on the provision of recommendations may be appealed only together with the decision adopted under the relevant recommendation.

9. If there is a dissenting opinion of two or more members of the chamber of the High Qualification Commission of Judges of Ukraine, who participated in the issue consideration and

decision adoption by the respective chamber, the Chairman of the High Qualification Commission of Judges of Ukraine has the right to submit such question for consideration of the High Qualification Commission of Judges of Ukraine on which the final decision on merits of the issue shall be adopted in the manner established by the rules of procedure.

Article 102. Support of the activities of the High Qualification Commission of Judges of Ukraine

1. Organisational support for the activities of the High Qualification Commission of Judges of Ukraine shall be provided by the Secretariat.

The Secretariat shall be chaired by its head, who is appointed to the position by competitive examination, taking into account the provisions of this law and the [Law of Ukraine](#) "On civil service".

{Part one of Article 102 is supplemented with paragraph 2 in accordance with the Law [No. 193-IX of 10.16.2019](#)}

2. The regulations on the Secretariat of the High Qualification Commission of Judges of Ukraine shall be approved by the High Qualification Commission of Judges of Ukraine.

3. An Inspectorate Service in the number, determined by the High Council of Justice, shall function as a part of the Secretariat of the High Qualification Commission of Judges of Ukraine to ensure the execution of powers by the members of the High Qualification Commission of Judges of Ukraine.

{Part three of Article 102 as amended by the Law [No. 193-IX of 10.16.2019](#)}

4. The Maximum number of employees of the High Qualification Commission of Judges of Ukraine, taking into account a determined number of the Commission members and inspectors, shall be approved by the High Council of Justice upon submission of the High Qualification Commission of Judges of Ukraine.

{Part four of Article 102 as amended by the Law No. [193-IX of 10.16.2019](#)}

5. Employees of the Secretariat of the High Qualification Commission of Judges of Ukraine shall be appointed and dismissed in accordance with the procedure established by the legislation on civil service.

{Part five of Article 102 as amended by the Law No. [193-IX of 10.16.2019](#)}

6. The inspectors of the High Qualification Commission of Judges of Ukraine shall be appointed and dismissed by the Chairman of the High Qualification Commission of Judges of Ukraine on the proposal of the relevant member of the High Qualification Commission of Judges of Ukraine.

7. The remuneration for the member of the High Qualification Commission of Judges of Ukraine who is not a judge shall amount to the official salary of a judge of the high-specialised court.

{Paragraph one of part seven of Article 102 as amended by the Law [No. 193-IX of 10.16.2019](#)}

The remuneration of the member of the High Qualification Commission of Judges of Ukraine who is a judge shall amount to his/her judicial salary if it exceeds the salary of the Supreme Court judge by a factor of 1.5.

8. The remuneration of the members of the High Qualification Commission of Judges of Ukraine, salaries of the Secretariat employees and the Commission inspectors shall be covered by the state budget of Ukraine.

Article 103. Inspectorate Service of the High Qualification Commission of Judges of Ukraine

1. The Inspectorate Service of the High Qualification Commission of Judges of Ukraine shall be formed from the number of persons having a law degree and at least five years of professional experience in the field of law.

Should a retired judge be appointed to the position of the inspector of the Commission, that judge shall continue enjoying his/her right to pension or lifetime financial support, as well as other guarantees under this law.

2. The inspectors of the High Qualification Commission of Judges of Ukraine shall act on the basis of instructions from the member of the High Qualification Commission of Judges of Ukraine in accordance with the regulatory documents defining the activities of the Commission.

3. Based on the instructions of the Commission member, the inspectors shall:

- 1) preliminarily analyse materials of the cases on qualification evaluation;
- 2) perform other tasks within the powers of the Commission member determined by this Law.

4. The Inspectorate Service of the High Qualification Commission of Judges of Ukraine shall be chaired by the Head of the Inspectorate Service, who is directly subordinated to the Chairman of the High Qualification Commission of Judges of Ukraine.

5. The inspectors of the High Qualification Commission of Judges of Ukraine shall not be civil servants; their status shall be determined by this Law. Peculiarities regulating their activities shall be established by the Regulation on the Inspectors of the High Qualification Commission of Judges of Ukraine adopted by the High Qualification Commission of Judges of Ukraine.

{Article 103 was supplemented by part five according to the Law [No. 1798-VIII of 21.12.2016](#)}

Chapter 4. The National School of Judges of Ukraine

Article 104. Status and structure of the National School of Judges of Ukraine

1. The National School of Judges of Ukraine is a state institution having a special status in the justice system, providing training of qualified human resources for the justice system, and engaging in science and research. The laws on higher education shall not be applicable to the National School of Judges of Ukraine.

2. National School of Judges of Ukraine is established at the High Qualification Commission of Judges and operates in accordance with this Law and the Articles of Association approved by the High Qualification Commission of Judges of Ukraine.

3. The National School of Judges of Ukraine shall be headed by a rector who shall be appointed to and removed from this position by the High Qualification Commission of Judges of Ukraine.

4. Pro-rectors of the National School of Judges of Ukraine shall be appointed to and removed from their relevant positions by the High Qualification Commission of Judges of Ukraine as initiated by the Rector of the National School of Judges of Ukraine. The Rector of the National School of Judges of Ukraine shall propose to the High Qualification Commission of Judges of Ukraine candidates to fill the relevant pro-rector vacancies.

6. In no event may the basic wage of the staff of the National School of Judges of Ukraine be less than the basic wage of the same categories of staff of the High Qualification Commission of Judges of Ukraine.

6. The National School of Judges of Ukraine is a legal entity having its common seal with the National Emblem of Ukraine and the School's name, its own balance-sheet and accounts with the State Treasury of Ukraine, and may also have its regional offices.

Article 105. Tasks of the National School of Judges of Ukraine

1. The National School of Judges of Ukraine shall:

- 1) provide dedicated training to future candidates for the position of a judge;
- 2) provide training of judges, including the judges elected for administrative positions in courts;
- 3) provide periodical training of judges in order to enhance their qualifications;
- 4) run the training courses determined by the qualification or disciplinary agency, with the purpose of enhancing the qualifications of the judges who are temporarily removed from the administration of justice;
- 5) provide training to and enhance the qualifications of court staff;
- 6) research matters pertinent to the improvement of the system of courts, status of judges, and justice administration;
- 7) study international experience related to court organisation and operations;
- 8) provide methodological support to courts, the High Qualification Commission of Justice, and the High Council of Justice.

Section VI DISCIPLINARY LIABILITY OF THE JUDGE

Article 106. Grounds for taking disciplinary action against judges

1. Disciplinary action may be taken against a judge as a result of disciplinary proceedings initiated on any of the following grounds:

1) regardless of whether or not the below was committed intentionally or caused by negligence:

a) unlawful denial of access to justice (including unlawful denial to review any statement of claim, statement of appeal, or a cassational appeal on the merits of the same) or any other substantial breach of procedural law in the course of administration of justice, which denied the exercise by the litigants of their procedural rights and compliance with their procedural obligations, or caused an infringement of rules regarding the court jurisdiction or composition;

{Sub-clause "a", clause 1, paragraph 1, Article 106 as amended by Law [N 2147-VIII of October 3, 2017](#)}

b) omission to include the reasons for accepting or rejecting the arguments of the parties on the merits of the dispute into the court decision;

c) violation of the open court principle;

d) violation of the principles of equality of all litigants before the law and the court, adversary nature of the proceedings, and freedom of the parties to provide their evidence and support their arguments before the court;

e) infringement of the right of the accused to protection, and impeding the exercise of rights by other parties of the proceedings;

f) violation of recusal / self-recusal rules;

2) unsubstantiated delaying, or omission by the judge to take action for reviewing the statement, complaint or case within the period of time determined by law; delaying the preparation of a substantiated court decision; failure by the judge to provide in due time a copy of the court decision that must be registered in the Unified State Register of Court Decisions;

3) the judge acts in ways that are considered inappropriate for a judge or disrupt the authority of justice, specifically, where related to morals, honesty, integrity, lifestyle that corresponds to the status of a judge, other rules of judicial ethics and behavioural standards that win public trust to courts, displaying disrespect to other courts, attorneys, experts, witnesses, or other litigants;

4) violation by the judge who was involved in the approval of a court decision of human rights and fundamental freedoms, or any other gross violation of the law that caused significant implications, regardless of whether committed intentionally or due to gross negligence;

{Clause 4, paragraph 1, Article 106 in the version of Law [N 2147-VIII of October 3, 2017](#)}

5) the judge discloses any sensitive information protected by law, including any information shared in the consultation room, or any information that became known to the judge in the course of a closed court trial;

6) the judge has not reported to the High Council of Justice and the Prosecutor General any case of interference into the administration of justice by the judge, which includes any requests from the litigants or any other individuals, including any public officials, regarding any of the specific cases assigned to the judge, where any such communication has taken place in any form other than envisaged by the applicable procedural laws, within five days upon having become aware of the same;

{Clause 6, paragraph 1, Article 106 as amended by Law [N 2147-VIII of October 3, 2017](#)}

7) the judge has failed to report to the Council of Judges of Ukraine, whether entirely or on time, any actual or potential conflict of interest (except where such conflict of interest shall be settled according to the procedure envisaged by procedural law);

8) interference by the judge into the administration of justice by other judges;

9) the judge has failed to submit, whether entirely or on time, his/her declaration of a public or local government official according to the procedure envisaged by the applicable corruption prevention laws;

10) in his/her declaration of a public or local government official, the judge deliberately indicated any false information, or omitted to indicate any information required by law;

11) the judge has used his/her status of a judge with the purpose of unlawful acquisition, whether by himself/herself or by any third parties, of any material benefit or other benefits, provided that such offence cannot be classified as a crime or a criminal offence;

12) the judge has demonstrated low integrity, including where spendings of the judge or his/her family members exceed the income of such judge and his/her family members; the judge's standard of living is not relevant to his/her declared income; the judge has failed to prove the legitimate origin of his/her property;

13) the judge has not provided, or knowingly provided false information upon a legitimate request of a member of the High Qualification Commission of Judges of Ukraine and/or High Council of Justice, including a failure to provide the requested information when due as established by law;

{Clause 13, paragraph 1, Article 106 as amended by Law [N 193-IX of October 16, 2019](#)}

14) the judge has not completed an advance training course at the National School of Judges of Ukraine as directed by the authority conducting disciplinary proceedings against judges or has not passed a follow-up qualifications assessment required to certify a judge's ability to administer justice at a relevant court, or such qualifications assessment has not proven the judge's ability to administer justice at the relevant court;

15) the judge has been found guilty of committing a corruption offence or an offence related to corruption in cases governed by law;

16) the judge has not submitted, whether entirely or on due time, a declaration of family relations according to the procedure envisaged herein;

17) the judge's declaration of family relations contains any knowingly false or incomplete statements;

18) the judge has not submitted, whether entirely or on due time, a declaration of integrity according to the procedure envisaged herein;

19) the judge's declaration of integrity contains any knowingly false or incomplete statements;

2. Overturning or amendment of a court decision shall not result into any disciplinary action against a judge who was involved in making such decision, except where any such overturned or amended decision was originally made due to an intentional violation of law or neglect of duty by the judge;

Article 107. Filing a disciplinary complaint against judges

1. Anyone may file a disciplinary misdemeanour complaint against a judge, or report a disciplinary offence committed by a judge. Individuals shall exercise this right either personally or through an attorney; legal entities shall act through an attorney; state authorities and local governments shall act through their heads or representatives, and the Integrity and Ethics Commission shall act through its Chairperson or Commission members.

{Paragraph 1, Article 107 in the version of Law N [193-IX of October 16, 2019](#)}

2. A disciplinary complaint shall be submitted in writing and must contain the following information:

1) complainant's first name, patronymic and last name (or legal entity's name), place of permanent or temporary residence (or registered address for legal entities), postal code, and phone numbers;

2) first name, patronymic and last name of the judge(s) referred to in the complaint;

3) specific information about signs of a disciplinary misdemeanour in the judge's behaviour, which under [paragraph 1](#), Article 106 of this Law may qualify as the grounds for disciplinary action against the judge;

4) reference to factual data such as testimonial statements or evidence that confirm the complaint's statements.

A disciplinary complaint shall be signed and dated by the complainant.

3. The High Council of Justice shall approve a disciplinary complaint template and publish it on the official judiciary website.

4. The right to appeal to the authority competent to conduct disciplinary proceedings may not be abused, including through initiation of an action against a judge without sufficient grounds, or through the use of such right as leverage against the judge in connection with the administration of justice.

5. A knowingly unfounded disciplinary complaint filed by an attorney may result in disciplinary action against such attorney in accordance herewith.

6. Disciplinary action against a judge may not be initiated by a complaint that does not contain any information about signs of the judge's disciplinary misdemeanour, including by any anonymous statements and reports.

7. In case of any doubts regarding the identity or authenticity of the signature of the person who filed the disciplinary complaint, the relevant body of the High Council of Justice may invite such person for validation of the complaint.

{Paragraph 8, Article 107 excluded under Law N [193-IX of October 16, 2019](#)}

Article 108. The body conducting disciplinary proceedings against judges

1. Disciplinary proceedings against a judge shall be conducted by disciplinary chambers of the High Council of Justice in accordance with the [Law of Ukraine](#) on the High Council of Justice with due regard to the applicable requirements of this Law.

Article 109. Disciplinary sanctions upon judges

1. The following types of disciplinary sanctions may be imposed upon judges:

1) warning;

2) reprimand with deprivation of the right to receive supplemental payments to the basic wage of a judge for one month;

3) severe reprimand with deprivation of the right to receive supplemental payments to the basic wage of a judge for three months;

4) initiation of temporary (one month to six months) suspension from the administration of justice with deprivation of the right to receive supplemental payments to the basic wage of a judge and compulsory referral of the judge to the National School of Judges for an advance qualification course determined by the body conducting disciplinary proceedings against judges, to be followed by qualifications assessment of the judge's ability to administer justice in the relevant court;

5) initiation of the judge's transfer to a lower-level court;

6) initiation of the judge's removal from office.

2. The disciplinary sanction shall be selected taking into consideration the nature of the disciplinary misdemeanour concerned and its implications, the personality of the judge, severity of the guilt, whether or not there are any other disciplinary sanctions imposed, and any other relevant circumstances relevant to the disciplinary action against the judge. The disciplinary sanction shall be imposed according to the principle of proportionality.

3. The disciplinary sanction referred to in clause 1, paragraph 1 of this Article may not be imposed if the judge has committed any of the misdemeanours referred to in [clauses 16 to 19](#), paragraph 1, Article 106 hereof.

4. The disciplinary sanctions referred to in clauses 1 to 3, paragraph 1 of this Article may not be imposed if the judge has committed any of the misdemeanours referred to in [clauses 3, 10 to 12, 14, 15](#), paragraph 1, Article 106 hereof.

The disciplinary sanction referred to in clause 6, paragraph 1 of this Article may not be imposed upon a judge of the high-specialised court. Transferring a judge to the high-specialised court as the disciplinary sanction referred to in clause 5, paragraph 1 of this Article is not allowed.

{Paragraph 4, Article 15 supplemented in accordance with Law [No. 2509-VIII of July 12, 2018](#)}

5. If a decision was made to impose upon a judge a disciplinary sanction that precludes administration of justice by this judge in the relevant court, the judge shall be temporarily suspended from justice administration in this court with effect from the date of approval of the decision to impose the disciplinary sanction upon such judge.

6. In case of any unexpunged disciplinary sanctions upon the judge, a more severe sanction shall be imposed.

7. The judge with an unexpunged disciplinary sanction shall not be eligible for selection for a position in another court.

8. A disciplinary sanction in the form of initiation of the judge's removal from office shall be imposed in the following cases:

1) a significant disciplinary misdemeanour or gross or systematic neglect of the duty that is incompatible with the status of a judge or has shown that the judge is not qualified for their current position;

2) the judge has failed to prove the legitimate origin of their income.

9. A significant disciplinary misdemeanour, or gross or systematic neglect of the duty that is incompatible with the status of a judge or has shown that the judge is not qualified for his/her current position, shall include any of the following:

1) the judge acts in ways that are considered inappropriate for a judge or disrupt the authority of justice, specifically, where related to morals, honesty, integrity, a lifestyle that corresponds to the status of a judge, other rules of judicial ethics and behavioural standards that win public trust to courts;

2) the judge has committed a disciplinary misdemeanour already having an unexpunged disciplinary sanction other than a warning or reprimand, or having two unexpunged disciplinary sanctions;

3) it was established that the judge had demonstrated low integrity, including where spendings of the judge or his/her family members exceed the income of such judge and his/her family members whose income has been proven to be legitimate; it was established that the judge's standard of living is not relevant to their declared income; the judge has used his/her status of a judge with the purpose of unlawful acquisition, whether by himself/herself or by any third parties, of any material benefit or another benefit;

4) court has found the judge guilty of committing a corruption offence or an offence related to corruption;

5) the judge has failed to comply with the decision of the body conducting disciplinary proceedings against the judge approved under [clause 4](#), paragraph 1 of this Article or the assessment of the qualification conducted in accordance with clause 4, paragraph 1 of this Article has not proven the judge's ability to administer justice at the relevant court;

6) the judge intentionally has not submitted the declaration of integrity or declaration of family relations when due, or has intentionally declared any false or incomplete statements therein;

7) the judge has committed any other gross violation of the law, which is detrimental to public trust to court.

10. The decision to register with the High Council of Justice an initiation to remove the judge from office on the grounds referred to in [clause 2](#), paragraph 8 of this Article may be approved, if the judge failed to prove the legitimate origin of his/her assets on demand of the body conducting the disciplinary proceedings.

11. Disciplinary sanctions shall be imposed upon the judge not later than three years upon the day of the misdemeanour concerned, not including the period of the judge's temporary incapacitation, or being on leave, or the duration of the relevant disciplinary proceedings.

12. Where any facts were established by the European Court of Human Rights that may be grounds for imposing a disciplinary sanction upon the judge, the said period shall be deemed to commence on the day when such decision of the European Court of Human Rights was approved as final and binding.

13. Information about the disciplinary action against the judge shall be published on the official website of the High Council of Justice, and the website of the court where the judge concerned is employed. This publication must contain information about the judge against whom the disciplinary action was initiated, and the disciplinary sanction imposed, and copy of the decision made by the body conducting the disciplinary proceedings to impose such sanction.

Article 110. Expungement of disciplinary sanction

1. The judge shall be considered as having no disciplinary sanction, if:

1) the judge has not been subjected to a new disciplinary sanction within six months upon approval of the decision to impose a disciplinary sanction in the form of a warning, and grounds for a new sanction have not emerged within the said period;

2) the judge has not been subjected to a new disciplinary sanction within one month upon approval of the decision to impose a disciplinary sanction in the form of a reprimand, and grounds for a new sanction have not emerged within the said period;

1) the judge has not been subjected to a new disciplinary sanction within eighteen months upon approval of the decision to impose a disciplinary sanction in the form of a severe reprimand, and grounds for a new sanction have not emerged within the said period;

1) the judge has not been subjected to a new disciplinary sanction within two years upon approval of the decision to impose a disciplinary sanction in the form of initiation of the judge's temporary suspension from the administration of justice, and grounds for a new sanction have not emerged within the said period, provided that the judge has successfully completed the advance training course as directed by the body conducting disciplinary proceedings against judges, and the follow-up qualifications assessment has confirmed the judge's ability to administer justice at a relevant court;

1) the judge has not been subjected to a new disciplinary sanction within three years upon approval of the decision to impose a disciplinary sanction in the form of initiation of the judge's transfer to a lower-level court, and grounds for a new sanction have not emerged within the said period; however, the judge may not return to his/her position at the previous court solely due to such expungement.

Article 111. Appealing against decisions made in disciplinary proceedings against judges

1. The judge may appeal against the decision to initiate disciplinary action against him/her as contemplated by the [Law of Ukraine](#) on the High Council of Justice.

Section VII

REMOVAL OF JUDGES FROM OFFICE AND TERMINATION OF POWERS

Chapter 1. Removal from office

Article 112. General provisions on removal of judges from office

1. A judge may be removed from office solely on the grounds determined by [paragraph 6](#) of Article 126 of the Constitution of Ukraine.

2. The decision to remove from office shall be approved by the High Council of Justice pursuant to the procedure established by the [Law of Ukraine](#) on the High Council of Justice.

Article 113. Dismissal due to health condition

1. A judge shall be dismissed from his/her position in connection with the inability to perform his/her duties due to his/her health condition based on the relevant medical opinion given by the medical commission established by the dedicated central executive body for health care upon request of the High Council of Justice.

2. Having acknowledged that the judge is not capable of performing his/her duties for a significant period of time or permanently due to his/her health condition, the High Council of Justice shall approve the decision to dismiss the judge.

Article 114. Removal from office due to violation of the incompatibility requirement

1. The judge shall be removed from office by the decision made by the High Council of Justice in case he/she violates the incompatibility requirement.

Article 115. Removal from office due to a significant disciplinary misdemeanour or gross or systematic neglect of duty

1. As defined in [clause 3](#), paragraph 6, Article 126 of the Constitution of Ukraine, committing a significant disciplinary misdemeanour or gross or systematic neglect of duty that is incompatible with the status of a judge or has revealed the judge's inadequacy to the position, shall be valid grounds for the judge's removal from office.

2. Facts that evidence a significant disciplinary misdemeanour or gross or systematic neglect of duty that is incompatible with the status of a judge or has revealed the judge's inadequacy to the position must be ascertained by the High Council of Justice or a relevant body thereof.

Article 116. Dismissal based upon a resignation letter or voluntary resignation

1. The judge who has at least twenty years of experience as a judge, which must be ascertained in accordance with [Article 137](#) hereof, may file a resignation letter.

2. The judge may file a resignation letter at any time while holding the office regardless of the reasons.

2. The judge shall file the resignation letter or voluntary resignation letter to the High Council of Justice that shall approve the decision on the judge's resignation within one month upon receiving the relevant letter.

4. The judge shall perform his duties pending the approval of his/her resignation.

5. The retired judge shall retain his/her title of judge and immunity provided for the judge before his/her resignation.

Article 117. Dismissal in connection with refusal to be transferred to another court in case of liquidation or reorganisation of the court where the judge is employed

1. Refusal to transfer to another court, including evading to comply with the decision on such transfer, in case of liquidation or reorganisation of the court where the judge is employed, shall be sufficient grounds for the judge's dismissal based upon the relevant decision approved by the High Council of Justice.

Article 118. Removal from office due to failure to prove the legitimate origin of property

1. Pursuant to [clause 6](#), paragraph 6, Article 126 of the Constitution of Ukraine, a violation by the judge of the obligation to prove the legitimate origin of his/her property shall be deemed sufficient grounds for the judge's removal from office.

2. The judge's failure to prove the legitimate origin of a property may be ascertained as follows:

1) through disciplinary proceedings against judges conducted by the High Council of Justice or any relevant bodies thereof;

2) by the High Qualification Commission of Judges of Ukraine as part of the judge's qualifications assessment;

3) by the court in the review of the relevant case.

Chapter 2. Termination of powers

Article 119. Termination of powers

1. Powers of the judge shall be terminated solely on the grounds referred to in [paragraph 7](#), Article 126 of the Constitution of Ukraine.

Article 120. Termination of powers upon reaching the age of sixty-five

1. Powers of the judge shall be terminated on the next day after he/she reaches the age of sixty-five.

2. The chairperson of the court where the relevant judge was employed must give notice to the High Council of Justice, the High Qualification Commission of Judges of Ukraine, and the State Judicial Administration of Ukraine, at least one month prior to the day referred to in paragraph 1 of this Article, of the grounds for termination of the judge's powers. The notice shall be accompanied by documents confirming that the judge is reaching the age of sixty-five.

3. The judge may not administer justice from the next day after he/she reaches the age of sixty-five.

Article 121. Termination of powers due to termination of the Ukrainian citizenship or acquisition of foreign citizenship

1. Powers of the judge shall be terminated in case of termination of his/her Ukrainian citizenship as set forth in the [Law of Ukraine](#) on Citizenship of Ukraine, or acquisition by the judge of any foreign citizenship, with effect from the day when any such termination of the Ukrainian citizenship or acquisition of foreign citizenship occurred.

2. For the purposes of this Article, acquisition of foreign citizenship shall be any of the following:

1) acquisition by the judge of citizenship of any other countries in the result of any acts committed by or on behalf of, or directed or consented by, such judge with the purpose of pursuing relevant legal implications;

2) the judge acquired the status of a foreign citizen by virtue of law or otherwise without his/her consent, and has not taken action to dispose of such foreign citizenship within ten days upon the day when such judge became aware of having acquired such status.

Article 122. Termination of powers due to entry into force of a court decision to declare judge missing, presumed dead, or find fully or partially incapable

1. The court that made a decision to declare the judge is missing, or presume the judge dead, or find the judge fully or partially incapable, shall give immediate notice of the same to the High Council of Justice, High Qualification Commission of Judges of Ukraine, and the State Judicial Administration of Ukraine.

2. Powers of the judge shall be terminated immediately upon entry of such decision into force.

Article 122¹. Termination of powers due to entry into force of court decision to declare judge's assets illegally acquired and subject to confiscation

1. The court that made a decision to declare any assets of the judge or any assets acquired under his/her direction by any other individuals, or as otherwise governed by [Article 290](#) of the Civil Procedural Law of Ukraine, illegally acquired and subject to confiscation by the state, shall give immediate notice of the same to the High Council of Justice, High Qualification Commission of Judges of Ukraine, and the State Judicial Administration of Ukraine.

2. Powers of the judge shall be terminated immediately upon entry of such decision into force.

{Law supplemented with Article 122¹ pursuant to Law [N 263-IX of October 31, 2019](#)}

Article 123. Termination of powers due to death

1. Powers of the judge shall terminate upon his/her death

1. The chairperson of the court where the relevant judge was employed shall give notice of the same to the High Council of Justice, High Qualification Commission of Judges of Ukraine, and the State Judicial Administration of Ukraine. Documents certifying the death shall be attached to the notice.

Article 124. Termination of powers due to entry into force of the judgement of guilt for a criminal offence

1. The court that approved the judgement of guilt against an individual who is a judge shall give immediate notice of the same to the High Council of Justice, High Qualification Commission of Judges of Ukraine, and the State Judicial Administration of Ukraine.

2. Powers of the judge shall terminate immediately upon entry of such court judgement of guilt into force. The judge shall be deprived of the guarantees of judicial independence and immunity, right to remuneration, including judicial remuneration, and other benefits envisaged by law.

Article 125. Removal from office due to termination of powers

1. Termination of the judge's powers shall be deemed sufficient grounds for the judge's removal from office at the relevant court, and the court chairperson shall issue a relevant order.

**Section VIII
JUDICIAL SELF-GOVERNANCE****Chapter 1. General principles of judicial self-governance****Article 126.** Tasks of judicial self-governance

1. The aim of judicial self-governance — independent collective decision-making by judges — is to protect the professional interests of judges and address any issues related to the internal operation of court in Ukraine.

2. Judicial self-governance shall be one of the safeguards for the independence of judges. The purpose of judicial self-government shall be to contribute to the appropriate organisational and other conditions for normal operation of courts and judges, promote court independence, ensure that judges are protected against any interference into their work, and improve the standard of human resources at courts.

3. Internal matters of courts shall include organisational matters of courts and judges, social protection of judges and their families, and other matters not immediately related to administration of justice.

4. Judicial self-governments shall address the following matters:

1) organisational unity of judicial functioning;

2) reinforcement of independence of court and judges, protection of professional interests of judges, including protection against interference;

2) participation in assessing human resources, financial, material, technical and other needs of the court, and control of the compliance with the applicable standards of such coverage;

4) election of judges to administrative positions at courts according to the procedure contemplated hereby;

5) appointment of judges to the Constitutional Court of Ukraine;

6) election of judges to the High Council of Judges in accordance with the applicable law.

{Clause 6, paragraph 4, Article 126 as amended by Law [N 193-IX of October 16, 2019](#)}

Article 127. Organisational forms of judicial self-governance

1. The organisational forms of judicial self-governance are the conference of judges, Council of Judges of Ukraine, and congress of judges.

2. In Ukraine, judicial self-governance shall be exercised through the following:

1) conference of judges of a local court, appellate court, high-specialised court (including, where applicable under this Law, appellate chamber of the high-specialised court), and Plenum of the Supreme Court;

{Clause 1, paragraph 2, Article 127 as amended by Law [N 2509-VIII of July 12, 2018](#)}

2) Council of Judges of Ukraine;

3) congress of judges of Ukraine.

3. The judicial self-governance procedure shall be governed by the [Constitution of Ukraine](#), this Law and other applicable laws, rules and regulations made by judicial self-governments in accordance with the Constitution of Ukraine and this Law.

Chapter 2. Judicial self-governments

Article 128. Conference of judges

1. The conference of judges shall be a meeting of judges of the relevant court, where the judges shall discuss any internal matters of this court, and collectively decide on such matters.

2. The conference of judges shall be convened by the chairperson of the relevant court upon his/her own discretion or when demanded by at least one-third of all judges of this court.

3. The conference of judges shall be convened on the "as required basis", but anyway at least once every three months.

4. The conference of judges shall be deemed competent if attended by at least two-thirds of all judges of this court. Only the judges of this court may vote.

The court staff, retired judges, representatives of any civil society associations, journalists and others may be invited to attend the conference of judges.

5. The conference of judges shall:

1) discuss any internal matters of the court, or matters pertinent to work of specific judges or court staff, and any decisions made on these matters shall be binding upon the judges and staff of this court;

2) determine the specialisation of the judges to review specific categories of cases;

3) allocate the workload of the judges of the relevant court taking into consideration any administrative or other duties performed by such judges;

4) hear the reports of the judges who hold administrative positions at this court, and of the court chief of staff;

5) initiate a disciplinary action against any attorney, prosecutor, public official or local government official for any act or omission to act that violate the guarantees of independence of the court and the judge;

3) exercise other powers envisaged by this Law.

6. At each court except for local courts, the conference of judges shall be elected by secret ballot of the judges attending the congress of judges of Ukraine.

7. The conference of local court judges shall be elected by secret ballot of the delegate judges attending the joint conference of local court judges in the Autonomous Republic of Crimea, every Oblast, and the cities of Kyiv and Sevastopol, one delegate from ten judges. If there are less than ten judges at the court, the court shall delegate one representative judge.

The joint conference of local court judges in the Autonomous Republic of Crimea, every Oblast, and the cities of Kyiv and Sevastopol shall be convened to elect, by secret ballot, delegates to the congress of judges of Ukraine.

The procedure for convocation and agenda of the joint conference of local court judges shall be established by the Council of Judges of Ukraine.

The judge holding an administrative position at court may not be elected as a delegate to the conference of local general court judges.

8. The conference of judges may submit any proposals regarding the court operation to the state authorities and local governments that must review these proposals within fifteen days and provide a response thereto.

9. The conference of judges may discuss law application practice, and draft relevant proposals in order to improve such practice and relevant legislation. The conference of judges of local courts, appellate courts, and a high-specialised court may submit relevant proposals to the Supreme Court for review.

10. The conference of local general court judges elects investigative judges according to the procedure set forth herein.

11. The conference of judges shall make decisions by the simple majority of votes of all attending judges unless it is resolved to vote by secret ballot. Delegates to the joint conference of local general court judges shall be elected by secret ballot.

12. The conference of judges shall resolve that the enforcement of any decisions made by the conference of judges shall be delegated to the chairperson or deputy chairperson of the relevant court.

13. Provisions of paragraphs 1 to 9, 11 and 12 of this Article shall apply to the conference of judges of the appellate chamber of the high-specialised court.

{Article 128 supplemented with paragraph 13 pursuant to Law [N 2509-VIII of July 12, 2018](#)}

Article 129. Congress of Judges of Ukraine

The congress of judges of Ukraine shall be the highest judicial self-government in Ukraine.

3) The congress of judges of Ukraine shall:

1) hear reports of the Council of Judges of Ukraine regarding the performance of judicial self-governments pertinent to ensuring the independence of courts and judges, and current status of organisational and financial support for the courts' needs;

2) hear the information of the High Qualification Commission of Judges of Ukraine about its operations;

3) hear the Chairperson of the State Judicial Administration of Ukraine regarding the operation of the State Judicial Administration of Ukraine, specifically where applicable to the organisational, financial, material and technical support of the needs of the judiciary;

4) appoint judges of the Constitutional Court of Ukraine according to [the Constitution](#) and applicable laws of Ukraine;

5) elect members to the High Council of Justice, and remove them from the office of a member of the High Council of Justice according to [the Constitution](#) and applicable laws of Ukraine;

{Clause 6, paragraph 2, Article 129 excluded pursuant to Law [N 193-IX of October 16, 2019](#)}

7) submit proposals on matters of courts to the competent state authorities and public officials;

8) elect the Council of Judges of Ukraine;

9) consider other matters pertinent to judicial self-governance according to the applicable law.

3. Decisions made by the congress of judges of Ukraine shall be binding upon all judicial self-governments and all judges.

Article 130. Procedure for the convocation of the congress of judges of Ukraine

1. The ordinary congress of judges of Ukraine shall be convened by the Council of Judges of Ukraine once every two years. The extraordinary congress of judges of Ukraine may be convened by the Council of Judges of Ukraine at its own discretion.

2. Where required, the conference of judges submits to the Council of Judges of Ukraine a proposal to convene the extraordinary congress of judges of Ukraine. The Council of Judges of Ukraine must convene the extraordinary congress of judges of Ukraine if so demanded by at least one-fifth of the conference of judges.

3. The Council of Judges of Ukraine convening the congress of judges of Ukraine according to the procedure referred to in paragraph 1 of this Article, shall approve the draft agenda for the congress and shall decide on the date and venue of the congress. In case the congress of judges of Ukraine is convened on demand of the conference of judges, any and all matters that have caused such demand must be included in the draft agenda.

4. In addition to the delegates, other persons may also be invited to the congress of judges of Ukraine. Such invited persons may not vote on any matters decided at the congress of judges of Ukraine.

5. If the Council of Judges of Ukraine does not convene the congress of judges of Ukraine within the period of time referred to in paragraphs 1 2 of this Article, such congress may be convened on demand at least one-fifth of the conference of judges without the participation of the Council of Judges of Ukraine.

In this case, the initiators of the convocation of the congress of judges of Ukraine shall compose the organising committee for the purposes of the convocation of the congress of judges of Ukraine, and the said committee shall have all powers of the Council of Judges of Ukraine pertinent to the congress convocation. The organising committee shall immediately publish an announcement of its establishment in the newspapers "Holos Ukrainy" and "Uriadovyi Kurier", and shall schedule the congress of judges in at least two months upon the establishment of the organising committee.

6. An announcement of the convocation of the congress of judges of Ukraine and its agenda must be published in the newspapers "Holos Ukrainy" and "Uriadovyi Kurier" at least thirty days prior to the scheduled date of the congress, or fifteen days prior to the scheduled date of the congress in case of the convocation of the extraordinary congress on demand of the conference of judges as referred to in paragraph 2 of this Article.

7. If the congress of judges is convened with the purpose of electing any members of the High Council of Justice, the announcement must be published at least forty-five days prior to the congress.

{Paragraph 7 of Article 130 as amended by Law [N 193-IX of October 16, 2019](#)}

Article 131. Election of delegates to the congress of judges of Ukraine

1. The conference of judges of every court, except for local general court, high-specialised court and the Supreme Court, shall at the congress of judges of Ukraine elect one delegate from every twenty judges employed at this court. If there are less than twenty judges at the court, the court shall delegate one representative judge.

2. Delegates to the congress of judges of Ukraine from local general courts judges shall be elected by the joint conferences of judges in each Oblast, the Autonomous Republic of Crimea, and the cities of Kyiv and Sevastopol; one delegate per twenty judges of all judges of local general courts in each Oblast, the Autonomous Republic of Crimea, and the cities of Kyiv and Sevastopol.

3. The conference of judges of high-specialised courts shall elect three delegates from each court the congress of judges of Ukraine.

4. The Plenum of the Supreme Court shall elect twelve delegates among the judges of the Supreme Court to the congress of judges of Ukraine.

5. Delegates to the congress of judges of Ukraine shall be elected by secret ballot on an alternative basis, and any actions or retired judges, regardless of their place of employment prior to retirement, may be proposed as candidates.

6. The judges who hold administrative positions at courts, or are members of the High Council of Justice of the High Qualification Commission of Judges of Ukraine, may not be delegated to the congress of judges of Ukraine

Article 132. Congress of Judges of Ukraine

1. The congress of judges of Ukraine shall be deemed competent if attended by at least two-thirds of all elected delegates.

2. The congress of judges of Ukraine shall be opened by the chairperson of the Council of Judges of Ukraine, or, in his/her absence, by the oldest member of the Council of Judges of Ukraine.

3. The congress of judges of Ukraine shall, by open voting, elect the congress board composed of any number of judges at the discretion of the congress. The board shall organise the work of the congress of judges of Ukraine.

4. The congress of judges of Ukraine shall discuss and approve the agenda and rules of procedure of the congress and shall elect the counting commission, secretariat, and any other working groups of the congress.

5. All matters decided by the congress of judges of Ukraine shall be recorded in the meeting minutes.

6. Decisions of the congress of judges of Ukraine shall be made by a simple majority of votes of the elected delegates in the open or secret ballot. Matters referred to in [clauses 4 to 6](#), [8](#) paragraph 2 of Article 129 of this Law shall be decided by secret ballot.

7. Any other matters related to the congress of judges of Ukraine shall be governed by the rules of procedure approved by the congress of judges of Ukraine.

Article 133. The Council of Judges of Ukraine

1. The Council of Judges of Ukraine shall be the highest judicial self-government and shall act as the executive body of the congress of judges of Ukraine.

{Paragraph 1, Article 133 in the version of Law [N 2147-VIII of October 3, 2017](#)}

2. The Council of Judges of Ukraine shall be elected by the congress of judges of Ukraine. The Council of Judges of Ukraine shall be composed of:

- 1) eleven judges from local general courts;
- 2) four judges from local administrative courts;
- 3) four judges from local commercial courts;
- 4) four judges from appellate courts dealing with civil cases, criminal cases and cases of administrative offences;
- 5) two judges from appellate administrative courts;
- 5) two judges from commercial appellate courts;
- 7) one judge from each high-specialised court;
- 8) four judges from the Supreme Court.

3. The judges attending the congress of judges may propose candidates to the Council of Judges of Ukraine.

4. The judges holding administrative positions at courts, or who are members of the High Council of Justice or the High Qualification Commission of Judges of Ukraine, may not be elected to the Council of Judges of Ukraine. In case a member of the Council of Judges of Ukraine is elected to an administrative position at court, the powers of such members at the Council of Judges of Ukraine shall be terminated.

5. The members of the Council of Judges of Ukraine shall elect, by secret ballot at the Council meeting, someone from among themselves to act as the chairperson, deputy chairperson and secretary of the Council of Judges of Ukraine.

6. The Council of Judges of Ukraine shall enforce and control the enforcement of the decisions made by the congress of judges of Ukraine, and shall also decide on any matters related to the convocation of the congress of judges of Ukraine.

{Paragraph 6, Article 133 as amended by Law [N 2147-VIII of October 3, 2017](#)}

7. Powers and procedures of the Council of Judges of Ukraine shall be governed by law and the Regulations on the Council of Judges of Ukraine approved by the congress of judges of Ukraine.

{Paragraph 7, Article 133 as amended by Law [N 2147-VIII of October 3, 2017](#)}

8. The Council of Judges of Ukraine shall:

1) plan and enforce measures to improve the independence of courts and judges, and to improve the organisational support of courts;

2) consider any matters related to the legal protection of judges, social security of judges and their families, and make relevant decisions in connection therewith;

3) supervise the organisation of courts, and hear, in connection therewith, the Chairperson, Deputy Chairperson, department heads and heads of regional branches of the State Judicial Administration of Ukraine;

7) submit proposals on matters of courts to the competent state authorities and local governments;

5) approve templates of judge's and retired judge's certificates;

6) oversee the compliance with the conflict of interests law by the judges, Chairperson or members of the High Qualification Commission of Judges of Ukraine, Chairperson or Deputy Chairpersons of the State Judicial Administration of Ukraine; resolve any actual or potential conflicts of interests of the said persons (where such conflict of interests may not be settled according to the procedure contemplated by the procedural law);

7) exercise other powers envisaged by law.

{Clause 7, paragraph 8, Article 133 as amended by Law [N 2147-VIII of October 3, 2017](#)}

9. Decisions of the Council of Judges of Ukraine made within the scope of the competence defined by this Law shall be published on the official judiciary website on the next day upon approval.

Decisions of the Council of Judges of Ukraine made within the scope of the competence defined by this Law shall be binding upon all judicial self-governments, except for the congress of judges of Ukraine. A decision made by the Council of Judges of Ukraine may be revoked by the congress of judges of Ukraine or by the court.

10. If the judge (except where such conflict of interests shall be settled according to the procedure contemplated by the procedural law), Chairperson or member of the High Qualification Commission of Judges of Ukraine, Chairperson or Deputy Chairperson of the State Judicial Administration of Ukraine, has any actual or potential conflict of interests, he/she must give a written notice of the same to the Council of Judges of Ukraine not later than on the next business day after such conflict of interests occurred.

11. The state authorities or local governments, including any public officials thereof, heads of companies, institutions and organisations that received any notice from the Council of Judges of Ukraine related to the safety of the judges, must review such notice within ten days upon receipt and take relevant measures to mitigate any threat to the safety of the judges.

Article 134. Material support of judicial self-governments

1. Material support of the congress of judges of Ukraine, joint conference of judges of local general courts, and the Council of Judges of Ukraine shall be provided by the High Council of Justice and regional branches hereof from the State Budget of Ukraine in accordance with [Section XI](#) hereof.

Section IX MATERIAL SUPPORT OF JUDGES

Article 135. Judicial remuneration

1. Judicial remuneration shall be governed by this Law, and no other rules and regulations may apply.

2. Judicial remuneration shall be paid to the judge starting from the day the judge became officially employed with the relevant court unless otherwise envisaged by this Law. Judicial remuneration shall consist of the basic wage and supplemental payments for:

- 1) time in service;
- 2) time on an administrative position at court;
- 3) scientific degree;
- 4) work that requires access to classified information.

3. Baseline amount of the judge's basic wage shall be calculated as follows:

1) local court judge: 30 x minimum living wage for capable persons as of January 1 of the calendar year;

2) judge of the appellate court or high-specialised court: 50 x minimum living wage for capable persons as of January 1 of the calendar year;

3) *{Clause 3, paragraph 3, Article 135 declared inconsistent with the Constitution of Ukraine (unconstitutional) by Decision of the Constitutional Court [N 4-p/2020 of March 11, 2020](#)}* judge of the Supreme Court: 55 x minimum living wage for capable persons as of January 1 of the calendar year.

{Clause 3, paragraph 3, Article 135 as amended by Law [N 193-IX of October 16, 2019](#)}

{Paragraph 3, Article 135 in the version of Law [N 1774-VIII of December 6, 2016](#)}

4. The following regional coefficients shall be additionally applied to the baseline amount of the basic wage calculated under paragraph 3 of Article:

1) 1.1 if the judge is administering justice in a town/city with a population of at least one hundred thousand people;

2) 1.2 if the judge is administering justice in a town/city with a population of at least five hundred thousand people;

3) 1.25 if the judge is administering justice in a town/city with a population of at least one million people.

If the court is located in multiple town/cities, a regional coefficient applicable to the place of the seat of the authorities that registered such court shall apply.

{Paragraph 4, Article 135 supplemented with part 5 pursuant to [N 2509-VIII of July 12, 2018](#)}

5. The judges shall receive a monthly supplemental payment for a time in service: over 3 years - 15 per cent, over 5 years - 20 per cent, over 10 years - 30 per cent, over 15 years - 40 per cent, over 20 years - 50 per cent, over 25 years - 60 per cent, over 30 years - 70 per cent, over 35 years - 80 per cent of the relevant basic wage.

6. The judges holding the positions of the deputy court chairperson, secretary or chairperson of the judicial chamber, secretary of the Plenum the Supreme Court, secretary of the Grand Chamber of the Supreme Court, shall receive a monthly supplemental payment equivalent to 5 per cent of the basic wage of the judge at the relevant court, and 10 per cent of the basic wage of the judge at the relevant court in case of the chairperson of the court.

{Paragraph 6, Article 135 as amended by Law [N 2509-VIII of July 12, 2018](#)}

7. The judges shall receive a monthly supplemental payment for the scientific degree of a Candidate (PhD) or Doctor of Science in the relevant field equivalent to 15 and 20 per cent of the basic wage of the judge at the relevant court, accordingly.

8. The judges shall receive a monthly supplemental payment for doing work that requires access to classified information, depending on the classification: "Top secret" - 10 per cent of the basic wage of the judge at the relevant court; "Classified" - 5 per cent of the basic wage of the judge at the relevant court.

9. Expenditures related to judicial remuneration shall be made under a separate code of economic classification of taxes.

10. The judge who is not administering justice, except where due to temporary incapability or during the annual paid leave, shall not be entitled to any supplemental payments to the basic wage.

Article 136. Leave

1. The judges shall be entitled to an annual paid leave of 30 days, and for the purposes of such annual leave, the judges shall be entitled to judicial remuneration plus a bonus equivalent to the basic wage. The judges with a service record of over 10 years shall be entitled to an additional paid leave of 15 calendar days.

Article 137. Service record

1. Service record as a judge shall also include time on the following positions:

1) judge at Ukrainian courts, arbitrator/judge at arbitration courts of Ukraine, state arbitrator at a former State Arbitration Court of Ukraine, arbitrator of dedicated arbitration courts of Ukraine, or judge of the Constitution Court of Ukraine;

2) member of the High Council of Justice, High Council of Justice, or the High Qualification Commission of Judges of Ukraine;

3) judge at courts/arbitrator at the state and dedicated arbitration courts of the former USSR and any republic thereof;

2. The service record on the position of a judge shall also include service record/experience / professional occupation the requirements to which are governed by law and that provide eligibility to be appointed to the position if the judge.

{Article 137 supplemented with paragraph 2 pursuant to [N 2509-VIII of July 12, 2018](#)}

Article 138. Living conditions

1. Upon appointment to the position, the judge who needs better living conditions shall be provided by the local government with accommodation at the place of sear of the court according to the procedure established by the Cabinet of Ministers of Ukraine unless otherwise governed by law.

{Paragraph 1, Article 138 as amended by Law [N 2509-VIII of July 12, 2018](#)}

Article 139. Job-related material needs

1. The judge shall receive a robe and a badge, which shall be paid from the State Budget of Ukraine.

2. The judge shall be provided with a separate office, desk and items required for work.

Article 140. State protection of judges and their family members

1. The judges and family members and property of the judges shall be subject to special protection by the state. The Judicial Protection Service and law enforcement authorities must take any required measures in order to ensure the safety of the judge and the judge's family and property if a relevant request is filed by the judge.

2. Any violence targeting the judge's life and health, destruction of or damage to the judge's property, threats of murder, violence or property damage, offence or slander against the judge, including any violence targeting life and health of, or threats of murder or property damage to,

the judge's family (parents, spouse and/or children), committed in connection with the professional duties of the judge, shall entail liability envisaged by law.

3. The judge shall be entitled to protection equipment that shall be provided by the Judicial Protection Service established in accordance with this Law.

Article 141. Insurance

1. Mandatory state insurance of life and health shall be provided to the judges at the expense of the Fund for Social Insurance against Occupational Incidents and Occupational Diseases of Ukraine in accordance with [the Law of Ukraine](#) on Mandatory State Social Insurance.

Section X STATUS OF RETIRED JUDGE

Article 142. Pension or lifetime monthly allowance of a retired judge

1. The judge who retired - at the age of 62 in case of men, and in case of women upon reaching the retirement age determined by [Article 26](#) of the Law of Ukraine on Mandatory State Pension Insurance, shall be receiving a pension in accordance with the above Law, or, upon the judge's discretion, a lifetime monthly allowance. Prior to reaching such age, pension or lifetime monthly allowance may be paid to men born in 1955, and older men upon reaching the following age:

- 1) 61 years old, born in the period from January 1, 1954, to December 31, 1954;
- 2) 61 years and 6 months, born in the period from January 1, 1955, to December 31, 1955.

2. The retired judge who has not reached the age referred to in paragraph 1 of this Article, shall be receiving a lifetime monthly allowance. As such judge reaches the age referred to in paragraph 1 of this Article, he/she shall become entitled to a lifetime monthly allowance or, at his/her own discretion, to a pension on the terms and conditions determined by the [Law of Ukraine](#) on Mandatory State Pension Insurance.

3. Lifetime monthly allowance paid to the retired judge shall be equivalent to 50 per cent of the judicial remuneration of the judge on a relevant position. For every full year on the position of the judge, the amount of lifetime monthly allowance shall increase by two per cent of the judge's allowance.

{Paragraph 3, Article 142 in the version of Law [N 1798-VIII of December 21, 2016](#)}

4. In case of any change in the components of the judicial remuneration of the judge holding a relevant position, the amount of lifetime monthly allowance shall be subject to revision, accordingly.

5. Pension or lifetime monthly allowance shall be paid to the judge regardless of any income or profit made by the judge upon retirement. Lifetime monthly allowance to judges shall be paid by the Pension Fund of Ukraine from the State Budget of Ukraine.

{Paragraph 5, Article 142 in the version of Law [N 1798-VIII of December 21, 2016](#)}

Article 143. Severance pay in connection with retirement

1. The judge who is retiring shall receive a severance pay equivalent to the judicial remuneration, relevant for his/her last position, for 3 months.

2. If the judge whose retirement was terminated due to re-appointment to the position, files a resignation letter again, no severance pay shall be given in this case.

Article 144. Health care and recreation

1. The judge and his/her family members shall be entitled to health care at the state health care facilities free of charge. Family members of the judge may receive service at the same health care facilities which are used by the judge.

Article 145. Termination of retirement

1. Retirement to the judge shall be terminated in the following cases:
 - 1) re-appointment to the position;
 - 2) entry into force of a judgement of guilt against such judge for committing an intentional crime;
 - 3) termination of the citizenship of Ukraine or acquisition of foreign citizenship;
 - 4) declared missing or presumed dead.
2. Termination of the judge's retirement shall be the ground to terminate the judge's lifetime monthly allowance in connection with the retirement.
3. If the judge's retirement was terminated in the case referred to in clause 2, paragraph 1 of this Article, the judge's pension shall be accrued on a general basis.
4. The decision to terminate the judge's retirement shall be made by the High Council of Justice.

Section XI ORGANISATIONAL SUPPORT TO COURTS

Chapter 1. General matters of material support to courts

Article 146. Material support to the judiciary

1. The State shall provide funding to and appropriate conditions for courts and judges according to [the Constitution of Ukraine](#).
2. Support to the judiciary shall include:
 - 1) separate allocation of funds from the State Budget of Ukraine to cover the needs of courts at least to ensure comprehensive and independent administration of justice in accordance with law;
 - 2) legislative guarantees for full and timely funding of courts;
 - 3) guarantees of the sufficient standard of social welfare of judges.
3. Court support expenditures shall be determined in accordance with the proposals of the High Council of Justice.

Article 147. System of material support to the judiciary

1. Ukraine has a unified system of support for the judiciary - courts, judicial self-governments, other state authorities and institutions that belong to the system of justice.
2. The High Council of Justice, High Qualification Commission of Judges of Ukraine, State Judicial Administration of Ukraine and National School of Judges of Ukraine, and other state authorities and local governments shall be involved in the organisational support of courts in cases and in the manner defined by this Law and other applicable laws.
3. The State Judicial Administration of Ukraine shall enforce the decisions related to the establishment or termination of courts.
4. The State Judicial Administration of Ukraine may establish shorter periods for any procedures related to the liquidation of courts as legal entities, provided that it undertakes the civil commitments of such courts and discharge claims of creditors presented as due.
5. For the purpose of registration of a newly established court as a legal entity, ensure the proper commencement of its operation, and representation of such court as a state authority in relations with other state authorities, local governments, and any legal entities and individuals, the State Judicial Administration of Ukraine shall resolve to appoint a temporarily acting chief of staff of such newly established court. The temporarily acting chief shall perform the said duties of the chief of staff of the courts as a legal entity pending the appointment, election or transfer to

the position of the judge at such court of at least one judge, and shall continue to act as the chief of court staff pending the appointment of the relevant chief of court staff according to the applicable procedures of the laws governing public service, with due regard to the specific provisions of this Law.

{Paragraph 5, Article 147 as amended by Law [N 2147-VIII of October 3, 2017](#)}

6. In case of liquidation of a court that is administering justice in the relevant administrative territory (-ies) and establishment of a new court to administer justice in this territory, the court under liquidation shall terminate administering justice on the day when the announcement of the newly established court regarding the commencement of its operation as a court is published in the newspaper "Holos Ukrainy".

The court under liquidation shall, within one month upon the termination of justice administration, shall hand over to the newly established court any and all materials and documents related to the powers previously exercised by such court, including any archived cases that still have to be retained, any unfinished paperwork, documents related to human resources — both hard copies and in electronic form; however, files of cases and proceedings possessed by such court under liquidation shall be handed over immediately, before the newly established court opens for work.

{Paragraph 6, Article 147 supplemented with part 2 pursuant to [N 2509-VIII of July 12, 2018](#)}

7. In connection with a natural disaster, military actions, counter-terrorism measures or any other extraordinary events functioning of the court may be terminated based upon a decision of the High Council of Justice made upon request of the Chairperson of the Supreme Court.

Article 148. Funding of courts

1. All courts in Ukraine shall be funded from the State Budget of Ukraine.

2. Overall bulk of court-related expenditures from the State Budget of Ukraine belong to the classified lines in the State Budget of Ukraine.

3. Funds of the State Budget of Ukraine allocated for courts shall be administered by the following authorities:

1) Supreme Court, where related to its funding;

1⁻¹) high-specialised court, where related to its funding;

{Paragraph 3, Article 148 supplemented with clause 1⁻¹ pursuant to [N 2509-VIII of July 12, 2018](#)}

2) State Judicial Administration of Ukraine, where related to the funding of other courts, High Qualification Commission of Judges of Ukraine, judicial self-government, National School of Judges of Ukraine, Judicial Protection Service, and the State Judicial Administration of Ukraine;

3) High Council of Justice, where related to its funding.

4. Budget funds allocated to local courts shall be administered by the State Judicial Administration of Ukraine.

5. Court funding expenditures from the State Budget of Ukraine shall be recorded separately for the Supreme Court, High Council of Justice, appellate chamber of high-specialised court, and in general for appellate and local courts.

{Paragraph 5 Article 148 as amended by Law [N 2509-VIII of July 12, 2018](#)}

6. Expenditures of every local and appellate court regardless of the type and specialisation, High Qualification Commission of Judges of Ukraine, judicial self-government, National School of Judges of Ukraine, Judicial Protection Service and the State Judicial Administration of Ukraine shall be displayed in the State Budget of Ukraine in a separate appendix.

{Paragraph 6, Article 148 as amended by Law [N 2509-VIII of July 12, 2018](#)}

7. Court expenditures allocated in the State Budget of Ukraine may not be reduced in the current fiscal year.

8. Compliance with the provisions of this Law applicable to the funding of courts shall be supervised in the manner envisaged by law.

9. The procedure for preparation and review of draft Law on the State Budget of Ukraine where applicable to the funding of courts and other authorities and institutions belonging to the sector of justice shall be established by law.

Article 149. Funding of courts

1. Courts shall be funded based on cost estimates and monthly expenditure plans approved according to the applicable provisions of this Law, within the annual expenditures allocated in the State Budget of Ukraine for the current fiscal year, on terms and conditions contemplated in the [Budget Code of Ukraine](#).

Article 150. Public service in the sector of justice, wage and social welfare

1. Appointment of public officials and service staff, wage and social welfare of the staff of local courts, appellate courts, high-specialised courts, Supreme Court, secretariats of the High Council of Justice and High Qualification Commission of Judges of Ukraine, and the State Judicial Administration of Ukraine shall be governed by applicable regulations on public service with due regard of the applicable provisions introduced by this Law.

{Paragraph 1, Article 150 as amended by Law [N 1798-VIII of December 21, 2016](#)}

2. The Commission on High Corps of Public Service in the Justice Sector shall be established in accordance with law under the High Council of Justice.

The Commission on High Corps of Public Service in the Justice Sector shall exercise the powers of the Commission on High Corps of Public Service defined in the [Law of Ukraine](#) on Public Service where applicable to public service in the justice sector.

3. Procedure for selection of candidates to positions of public officials in courts, bodies and institutions of the justice sector shall be described in the Regulation approved by the High Council of Justice upon request of the State Judicial Administration of Ukraine following the consultations with the central executive agency that makes and implements the state policy on state service.

The said Regulation shall describe the procedure for appointment of a public official in cases referred to in this Law.

4. The basic wage of court staff whose position is the lowest-paid position in public service shall be established in the amount established in the laws on public service.

The basic wage of other court staff shall be increased by the relevant coefficient in proportion to the basic wage of the staff whose positions belong to the previous wage level at such court with due regard to jurisdictions of public authorities.

5. The basic wage of an employee at the secretariat of the High Council of Justice, High Qualification Commission of Judges of Ukraine, or the State Judicial Administration of Ukraine, whose position is the lowest-paid position in public service, shall be established at the level of a relevant position at the Supreme Court; in case of a regional branch the State Judicial Administration of Ukraine, it shall be established at the level of relevant staff position at the appellate court.

6. The scheme of basic wages, including coefficients for public officials at courts and other institutions that belong to the justice sector, shall be approved by the Cabinet of Ministers of Ukraine upon request of the State Judicial Administration of Ukraine.

7. Main administrators of funds allocated in the State Budget of Ukraine for courts shall provide funding to courts for funerals and commemoration of active and retired judged within the expenditures allocated for courts in the State Budget for the relevant year.

8. Cost estimates of the Supreme Court, High Council of Justice, high-specialised courts, High Qualification Commission of Judges of Ukraine, and the State Judicial Administration of Ukraine shall also include business expenses.

{Paragraph 8, Article 150 as amended by Law [N 2509-VIII of July 12, 2018](#)}

Chapter 2. The State Judicial Administration of Ukraine

Article 151. Status of the State Judicial Administration of Ukraine

1. The State Judicial Administration of Ukraine shall be the public authority in the justice sector that shall provide organisational and financial support to the judiciary within its scope of competence designated by law.

2. The State Judicial Administration of Ukraine shall be accountable to the High Council of Justice to an extent established by law.

3. The State Judicial Administration of Ukraine shall have regional branches. The State Judicial Administration of Ukraine shall make a decision to establish the relevant number of regional branches upon approval by the High Council of Justice.

4. The legal status of the officials of the State Judicial Administration of Ukraine and its regional branches shall be fixed by the [Law of Ukraine](#) on Public Service.

2. The State Judicial Administration of Ukraine is a legal entity, has a seal with the image of the State Emblem of Ukraine and its name, an independent balance and accounts with the State Treasury Service of Ukraine.

6. [Regulations on the State Judicial Administration of Ukraine](#) and standard regulations on regional branches thereof shall be approved by the High Council of Justice upon revision jointly with the Council of Judges of Ukraine.

Article 152. Powers of the State Judicial Administration of Ukraine

1. The State Judicial Administration of Ukraine shall:

1) represent courts before the Cabinet of Ministers of Ukraine and the Verkhovna Rada of Ukraine during the preparation of the draft Law on the State Budget of Ukraine for the relevant year within the scope of the competence defined by this Law;

2) ensure appropriate working conditions for courts, High Qualification Commission of Judges of Ukraine, National School of Judges of Ukraine and judicial self-government within the scope defined by this Law;

3) examine how courts are organised, and thereafter draft and duly submit proposals with the purpose of enhancing the same;

4) look into human resources aspects of court staff, predict needs in human resources, and request training of relevant subject-matter experts;

5) ensure relevant conditions for advanced training of court staff, and create the advanced training system;

6) organise activities related to court statistics, paperwork and archives; oversee the status of paperwork in courts;

7) prepare a budget request;

8) organise automation of proceedings and document flow at courts, regulatory support of the judicial operation, implementation of the Unified Judicial IT System; provide courts with the equipment necessary to record the processing within the funds allocated in the State Budget of Ukraine for relevant courts;

{[Amendments](#) to clause 8, paragraph 1, Article 152 shall become effective as of the start of operation of the Unified Judicial IT System: see clause 1, § 2 Section 5, Law [N 2147-VIII of October 3, 2017](#)}

9) ensure the implementation of an electronic court; take measures for exchange of electronic documents between courts and other public institutions;

10) ensure the keeping of the Unified State Register of Court Decisions and the Register of Email Addresses of Public Authorities and Public Officials, and shall ensure video communications equipment for remote participation in trials;

{Amendments to clause 10, paragraph 1, Article 152 shall become effective as of the start of operation of the Unified Judicial IT System: see clause 1, § 2 Section 5, Law N 2147-VIII of October 3, 2017}

11) liaise with the relevant agencies and institutions, whether national or foreign, with the purpose of enhancing the organisational support to courts;

12) draft the standard regulations on court staff and approve it upon the consent of the High Council of Justice;

13) organise the work of court administrators;

14) supervise the Judicial Protection Service;

15) approve the regulations on-court library;

16) administer any state-owned facilities that belong to the scope of administration of the State Judicial Administration of Ukraine;

17) exercise other powers envisaged by law.

Article 153. Chairperson of the State Judicial Administration of Ukraine

1. The State Judicial Administration of Ukraine shall be headed by the Chairperson of the State Judicial Administration of Ukraine.

2. The Chairperson of the State Judicial Administration of Ukraine shall be appointed and removed from office by the High Council of Justice.

The Chairperson of the State Judicial Administration of Ukraine shall be appointed upon the basis of selection.

3. The Chairperson of the State Judicial Administration of Ukraine may not combine his/her service with any other work except for teaching, research or creative activities outside of working time, and may not be a member of any council or supervisory board of any business organisation whose aim is making a profit.

4. The Chairperson of the State Judicial Administration of Ukraine shall:

1) manage the State Judicial Administration of Ukraine, and have personal liability for its performance;

2) organise the work of the State Judicial Administration of Ukraine;

3) submit to the High Council of Justice proposal regarding the maximum number of employees of the State Judicial Administration of Ukraine, including its regional branches;

4) establish selection commissions to conduct a selection of candidates for Category B and C vacant positions at courts and institutions that belong to the justice sector;

5) appoint and dismiss employees of the State Judicial Administration of Ukraine; upon the consent of chairpersons of the relevant court, approve and dismiss chiefs of staff and deputy chiefs of staff of appellate courts, high-specialised courts, and Supreme Court; upon the consent of the Chairperson of the Supreme Court appoint and dismiss first deputy chief of staff of the Supreme Court;

{Clause 5, paragraph 4, Article 153 in the version of Law N 2509-VIII of July 12, 2018}

6) upon request of the chairperson the relevant court, impose incentives or disciplinary sanctions upon chiefs of staff appellate court, high-specialised court, and the Supreme Court; upon request of Chairperson of the Supreme Court, impose incentives or disciplinary sanctions upon first deputy chief of staff the Supreme Court;

{Clause 6, paragraph 4, Article 153 in the version of Law [N 2509-VIII of July 12, 2018](#)}

7) upon request of the chairperson of the relevant court, award chiefs of staff and deputy chiefs of staff of the appellate court, high specialised court, or the Supreme Court with official public ranks according to the laws on public service; upon request of Chairperson of the Supreme Court, awards first deputy chief of staff the Supreme Court with official public ranks according to the laws on public service;

{Clause 7, paragraph 4, Article 153 in the version of Law [N 2509-VIII of July 12, 2018](#)}

8) approve the regulations on a regional branch of the State Judicial Administration of Ukraine, and the regulations on structural units of the State Judicial Administration of Ukraine;

9) establish the basic wages of the employees of the State Judicial Administration of Ukraine, award them with official public ranks, and impose incentives and disciplinary sanctions according to the applicable law

10) report about the performance of the State Judicial Administration of Ukraine to the High Council of Justice, and make the congress of judges of Ukraine and the Council of Judges of Ukraine aware of the performance of the State Judicial Administration of Ukraine in terms of organisational and material support to courts of relevant judicial specialisation;

11) be involved in the preparation of proposals on the draft State Budget of Ukraine where applicable to the funding of the judiciary;

12) approve the structure and manning a table of the State Judicial Administration of Ukraine and its regional branches;

13) exercise other powers envisaged by law.

5. The Chairperson of the State Judicial Administration of Ukraine shall issue orders on matters that belong to his/her scope of competence.

6. The Chairperson of the State Judicial Administration of Ukraine shall have Deputy Chairpersons, who shall be appointed and removed from office by the High Council of Justice according to laws on public service.

The Chairperson of the State Judicial Administration of Ukraine shall be appointed on the basis of selection.

7. Deputy Chairpersons of the State Judicial Administration of Ukraine shall perform the functions defined by the Chairperson of the State Judicial Administration of Ukraine. The Chairperson of the State Judicial Administration of Ukraine shall allocate the duties among the Deputy Chairpersons of the State Judicial Administration of Ukraine.

3) Chairperson of the State Judicial Administration of Ukraine shall submit to the High Council of Justice proposal regarding the maximum number of employees of the State Judicial Administration of Ukraine, including its regional branches;

Article 154. Regional offices of the State Judicial Administration of Ukraine

1. Regional offices of the State Judicial Administration of Ukraine are the regional branches of the State Judicial Administration of Ukraine.

2. The regional branch of the State Judicial Administration of Ukraine shall be headed by the Head who shall be appointed on the basis of selection and shall be removed by the Chairperson of the State Judicial Administration of Ukraine.

3. The Head of the regional branch of the State Judicial Administration of Ukraine shall have a Deputy, who shall be appointed on the basis of selection, and shall be removed by the Chairperson of the State Judicial Administration of Ukraine.

4. The Head of the regional branch of the State Judicial Administration of Ukraine shall, upon the consent of the local court chairperson, appoint and remove from office the chief of staff and deputy chief of staff of local court; and upon request of the chairperson of such local court shall impose incentives or disciplinary sanctions upon the chief of staff and deputy chief of staff of local court according to the applicable law; and shall award official public ranks to chief of staff and deputy chief of staff of local court according to laws on public service.

5. Structure and manning table of a regional branch of the State Judicial Administration of Ukraine shall be approved by the Chairperson of the State Judicial Administration of Ukraine upon request of Head of the regional branch of the State Judicial Administration of Ukraine.

2. The regional branch of the State Judicial Administration of Ukraine is a legal entity, has a seal with the image of the State Emblem of Ukraine and its name, an independent balance and accounts with the State Treasury Service of Ukraine.

7. The regional branches of the State Judicial Administration of Ukraine operate according to the regulations approved by the Chairperson of the State Judicial Administration of Ukraine and drafted based on the standard regulations on the regional branch of the State Judicial Administration of Ukraine.

Chapter 3. Court staff, administration departments, and court protection units

Article 155. Court staff

1. The court staff headed by the chief of staff shall provide administrative support to the court.

2. Regulations on the court staff shall be drafted based upon the standard Regulations on the court staff and shall be approved by the conference of judges of the relevant court. Temporary Regulations on the staff of a newly established court shall be approved by temporarily acting chief of staff of such court.

{Part one, paragraph 2, Article 155 as amended by Law [N 2147-VIII of October 3, 2017](#)}

The standard Regulations on Court staff shall be approved by the State Judicial Administration of Ukraine upon the consent of the High Council of Justice.

3. The chief of court staff shall be personally responsible for proper administration support of the court, judges and judicial proceedings, and for the operation of the Unified Judicial IT System, and shall make the conference of judges aware of his/her work. The conference of judges may impugn the credibility of the court chief of staff, which shall result in his/her removal from office.

4. The chief of staff and deputy chief of staff of local court shall, upon the consent of the chairperson of the relevant court, be appointed and removed from office by the Head of the relevant regional branch of the State Judicial Administration of Ukraine, and the chief of staff and deputy chief of the appellate court, high-specialised court, or the Supreme Court shall, upon the consent of the chairperson of the relevant court, be appointed and removed from office by the Chairperson of the State Judicial Administration of Ukraine.

5. The chief of court staff shall appoint the staff employees, and remove them from office, and impose any incentives and disciplinary sanctions upon them. Employees of the court staff shall be hired on the basis of selection, except when public officials are transferred according to laws on public service.

{Paragraph 5, Article 155 as amended by Law [N 2147-VIII of October 3, 2017](#)}

6. The legal status of the court staff shall be defined by the [Law of Ukraine](#) on Public Service with due regard to the specific provisions contained in this Law.

7. The structure and manning table of the local court staff shall, upon the consent of court chairperson, be approved by the relevant regional branch of the State Judicial Administration of Ukraine; in case of the staff of the appellate court and high-specialised courts, by the State Judicial Administration of Ukraine upon the consent of the court chairperson within the expenditures allocated for the relevant court. Temporary structure and temporary manning table of the staff of a newly established court shall be approved by the temporarily acting chief of staff of such court upon the consent of Chairperson of the State Judicial Administration of Ukraine.

{Paragraph 7, Article 155 as amended by Law [N 2147-VIII of October 3, 2017](#)}

8. Within the court staff, departments, sections and units may be established to perform any duties referred to in the relevant regulations approved by the chief of staff of the relevant court.

Within the staff of the high-specialised court, a separate structural unit shall be established to provide administrative support to the appellate chamber of such court, and such unit shall be accountable, and the head of such unit shall be subordinate to the chairperson of the appellate chamber of the high-specialised court. This administration support unit of the appellate chamber of shall not be subordinate to the chief of staff of the high-specialised court.

{Paragraph 8, Article 155 supplemented part 2 pursuant to [N 2509-VIII of July 12, 2018](#)}

{Paragraph 8, Article 155 in the version of Law [N 1798-VIII of December 21, 2016](#)}

9. The court staff shall keep personal files of the judges according to the procedure defined by the State Judicial Administration of Ukraine upon consent with the Council of Judges of Ukraine.

10. The court staff shall have the office, and the office shall be a task to receive and register any documents submitted to the relevant court. The office shall also do other tasks envisaged in the regulations approved by the chief of staff of the relevant court.

11. Court hearing secretaries, scientific consultants, and court administrators shall also belong to the court staff. Scientific consultants must have a scientific degree.

Article 156. The staff of the Supreme Court

1. Administrative support to the Supreme Court shall be provided by the Supreme Court staff.

2. Regulations, structure and manning table of Supreme Court staff shall be approved by the Plenum of the Supreme Court upon request of Chairperson of the Supreme Court.

3. The Supreme Court staff shall be headed by the chief of staff. Deputy chiefs of staff of the Supreme Court are first deputy and deputies. Deputy chiefs of the Supreme Court staff shall head departments within the Supreme Court staff that provide administrative support to cassational courts (secretariats).

{Paragraph 3, Article 156 in the version of Law [N 2509-VIII of July 12, 2018](#)}

4. Within the Supreme Court staff, any secretariats, departments, divisions, sections and units may be established with the purpose of performing the designated functions approved by the chief of the Supreme Court staff.

{Paragraph 4, Article 156 in the version of Law [N 2509-VIII of July 12, 2018](#)}

5. The chief of Supreme Court staff shall represent the Supreme Court as a legal entity.

{Paragraph 5, Article 156 in the version of Law [N 2509-VIII of July 12, 2018](#)}

6. Any materials related to the proceedings of the Supreme Court shall be kept in its archive.

{Paragraph, Article 156 in the version of Law [N 2509-VIII of July 12, 2018](#)}

Article 157. Assistants to judges

1. Every judge shall have one or more assistants; the status and terms of work of such assistance shall be described in this Law and the Regulations on Assistants to Judges approved by the Council of Judges of Ukraine.

{Paragraph 1, Article 157 as amended by Law [N 2147-VIII of October 3, 2017](#)}

2. Any citizen of Ukraine who has a university degree in Law and fluently speaks Ukrainian may become an assistant to the judge. The assistants to the judges of the Supreme Court must have at least three years of professional experience.

3. The judges may select assistants at their own discretion. The assistant to the judge shall be appointed and removed from office by the chief of staff of the relevant court upon request of the judge.

4. The assistants to the judges responsible for case preparation to review shall be accountable to the relevant judge only.

Article 158. Court library

1. A court library may be established at any court in order to provide judges with readily available rules and regulations, special research literature, and case-law materials. The library shall be composed of printed publications and computer databases.

2. Regulations on the court library shall be approved by the State Judicial Administration of Ukraine.

Article 159. Court administrators

1. Every court shall have a section of court administrators. The court administrators shall ensure that any and all persons at court follow the established rules, and take any action directed by the chairperson at the court hearing.

2. The court administrators shall be appointed and removed from office by the chief of staff of the relevant court.

3. The court administrators shall be provided with uniforms the design of which shall be approved by the chairperson of the State Judicial Administration of Ukraine upon the consent of the Council of Judges of Ukraine.

4. Duties of the court administrators shall be governed by this Law, provisions of the procedural law, relevant rules and instructions, and directions of the court chairperson and the judge.

5. Establishment and operation of the court administrators unit shall be approved by the chairperson of the State Judicial Administration of Ukraine upon the consent of the High Council of Justice.

Chapter 4. The Judicial Protection Service

Article 160. Protection and public order at courts

1. The Judicial Protection Service shall maintain public order at court, stop any displays of disrespect to the court, provide security of the court premises, agencies and institutions that belong to the justice sector, personal protection, on behalf of the state, of the judges and their family members, and the court employees, and ensure the security of litigants.

Article 161. Status of the Judicial Protection Service

1. The Judicial Protection Service shall be the state agency that belongs to the justice sector, and whose function shall be to provide security and protection and maintain public order at courts.

2. The Judicial Protection Service shall be accountable to the High Council of Justice, and shall be subordinate to the State Judicial Administration of Ukraine.

3. The Judicial Protection Service shall be headed by the Chairperson of the Judicial Protection Service who shall be appointed through an open selection procedure, and shall be removed from office by the High Council of Justice.

The Chairperson of the Judicial Protection Service shall have deputies, who, upon his/her request, shall be appointed through an open selection procedure, and removed from office by the High Council of Justice.

4. The Judicial Protection Service shall be composed of the command post and regional offices.

The maximum number of employees both for the command post and for regional offices of the Judicial Protection Service shall be approved by the State Judicial Administration of Ukraine.

The decision to establish any regional offices of the Judicial Protection Service shall be made by the Chairperson of the State Protection Service upon the consent of 3 State Judicial Administration of Ukraine.

Structure and manning table of the command post and regional offices of the Judicial Protection Service shall be approved by Chairperson of the State Protection Service upon the consent of the State Judicial Administration of Ukraine.

2. The command post of the Judicial Protection Service is a legal entity, has a seal with the image of the State Emblem of Ukraine and its name, an independent balance and accounts with the State Treasury Service of Ukraine.

6. Regional units of the Judicial Protection Service shall be established as legal entities or as structural units of the command post of the Judicial Protection Service that do not have the status of a legal entity.

7. The Judicial Protection Service shall be funded from the State Budget of Ukraine.

Article 162. Powers of the Judicial Protection Service

1. The Judicial Protection Service shall:

1) provide access of persons and vehicles to buildings/premises of courts and agencies and institutions that belong to the justice sector;

2) maintain public order and respond to any violations of public order during court hearings, and take action to stop any displays of disrespect to the court;

3) take action to ensure the security, protection and integrity of the premises of courts, authorities and institutions that belong to the justice sector, including the security and integrity of any property inside such premises, and prevent or respond to any unlawful actions against the same;

4) take measures to prevent any threats to the personal safety of the judges and their family members, court employees, and to the litigants during the trial; threat detection and liquidation; where requested by the judge, providing security for the judge and his/her family members;

5) respond, to the extent permitted by law, to any unlawful actions against the judges and their family members, court employees, and litigants.

2. When on duty, the Judicial Protection Service may:

1) demand that any persons entering the premises of the court, institutions and authorities that belong to the justice sector, presented their identification documents; check the identification documents of any such persons entering the premises of the court, institutions and authorities that belong to the justice sector, and where there are reasons to believe that the presence of such person inside the premises of court, institutions and authorities that belong to the justice sector may pose a threat to the safety of the judges, court staff employees, or any institutions that belong to the justice sector, or may cause violation of public order, then the access of such

persons to the premises of the court, institutions and authorities that belong to the justice sector shall be restricted;

2) conduct a quick check of the persons entering the premises of the court, institutions and authorities that belong to the justice sector through a visual inspection and check of personal belonging carried by such persons, and checking their clothing with special equipment;

3) detain the persons who unlawfully intruded or are trying to intrude into the premises of the court, institutions and authorities that belong to the justice sector, check their identification documents, and conduct, in the manner established by law, personal check of the detainees or their belongings, and hand them over to the law enforcement authorities;

4) refuse to admit any persons to certain premises of the court, institutions and authorities that belong to the justice sector, and demand that such persons stay at a specific place or go away, and restrict actual possession of a thing where required to ensure public order at court, the security of the judges and their family members, court employees, and litigants;

5) use information resources according to the rules established for the National Police of Ukraine under the [Law of Ukraine](#) on the National Police; and, upon a written request of the Chairperson of the Judicial Protection Service or Deputy Chairpersons, receive from the senior personnel of the state authorities of Ukraine, local governments, enterprises, institutions and organisations regardless of the type of ownership, any information that may be required for any functions imposed on the Judicial Protection Service;

6) take measures to prevent any unlawful assault against the judges and their family members, or court employees, or aimed at intentional destruction of or damage to any property of the court, institutions and authorities that belong to the justice sector;

7) use any technical devices capable of taking pictures and recording video and audio;

8) check the territory, buildings and premises of the court, institutions and authorities that belong to the justice sector;

9) involve employees, staff, military personnel, and equipment upon approval of the law enforcement and other state authorities;

10) use weapons, means of physical coercion and special means according to the rules and in cases governed by the Law of Ukraine [on the National Police](#) and the Law of Ukraine [on Protection](#).

Article 163. Service at the Judicial Protection Service

1. Employment at the Judicial Protection Service requires meeting the standards established by the [Law of Ukraine](#) on the National Police service in the police.

Special qualification requirements for candidates who apply for service shall be determined by the Chairperson of the State Protection Service.

2. Employees of the command post and heads and deputy heads of regional units of the Judicial Protection Service shall be appointed and removed from office by the Chairperson of the Judicial Protection Service, and other employees of the Judicial Protection Service at regional units shall be appointed and removed from office by the heads of such regional units.

Employees of the Judicial Protection Service (except for appointment to equivalent or lower-level positions) shall be appointed only through selection conducted by the State Judicial Administration of Ukraine in the manner established by the High Council of Justice.

3. Limitations and requirements established by the [Law of Ukraine](#) on Corruption Prevention, and envisaged for police under the [Law of Ukraine](#) on the National Police shall also apply to the employees of the Judicial Protection Service.

4. Time in service at the Judicial Protection Service shall be included into insurance record, professional service record, public official service record, and record of service in police and other law enforcement authorities.

Record of service in the police, internal affairs authorities, Armed Forces of Ukraine, Security Service of Ukraine, National Border Service of Ukraine, Department of State Protection of Ukraine, and other legitimate military organisations shall be included into the record of service at the State Protection Service.

5. Employees of the Judicial Protection Service shall, according to the procedure established by the Chairperson of the Judicial Protection Service, be undergoing assessments, where the aim would be to evaluate their business, professional, and personal abilities, to check their fitness for the job, and to make decisions regarding demoting or dismissing such employees due to being unfit for the job.

6. The procedure of service at the Judicial Protection Service shall be described in the relevant regulation, which shall be approved by the High Council of Justice upon request of the Chairperson of the Judicial Protection Service, upon the consent of the State Judicial Administration of Ukraine.

7. Employees of the Judicial Protection Service shall be provided with uniforms and insignia by the state.

Uniform designs for employees of the Judicial Protection Service, rules of wearing and quantity shall be approved by the State Judicial Administration of Ukraine upon request of the Chairperson of the Judicial Protection Service.

8. Use of any special ranks, uniforms and ID card of an employee of the Judicial Protection Service by anyone who is not an employee of the Judicial Protection Service is strictly prohibited and shall be punished according to applicable law.

Article 164. Special ranks at the Judicial Protection Service

1. Special ranks of the Judicial Protection Service:

1) junior ranks:

private of the Judicial Protection Service;

Corporal of the Judicial Protection Service;

Sergeant of the Judicial Protection Service;

Staff Sergeant of the Judicial Protection Service;

2) middle ranks:

2nd Lieutenant of the Judicial Protection Service;

1st Lieutenant of the Judicial Protection Service;

Lieutenant of the Judicial Protection Service;

Captain of the Judicial Protection Service;

Major of the Judicial Protection Service;

Lieutenant Colonel of the Judicial Protection Service;

Lieutenant Colonel of the Judicial Protection Service;

3) higher rank:

General of the Judicial Protection Service.

2. The following standards apply at the Judicial Protection Service for promotion through the ranks: Corporal of the Judicial Protection Service - 1 year; Sergeant of the Judicial Protection Service - 3 years; 2nd Lieutenant of the Judicial Protection Service - 1 year; 1st Lieutenant of the Judicial Protection Service - 2 years; Lieutenant of the Judicial Protection Service - 3 years; Captain of the Judicial Protection Service - 4 years; Major of the Judicial Protection Service - 4 years; Lieutenant Colonel of the Judicial Protection Service - 5 years.

3. No standards for promotion through the ranks have been established for the following ranks: Private of the Judicial Protection Service, Staff Sergeant of the Judicial Protection Service, Lieutenant Colonel of the Judicial Protection Service, General of the Judicial Protection Service.

4. Highest junior, middle and high ranks at the Judicial Protection Service equivalent to the relevant positions shall be established by the Chairperson of the Judicial Protection Service.

The highest rank at the Judicial Protection Service according to the position shall be established by the President of Ukraine.

5. The highest rank of the Judicial Protection Service shall be assigned by the President of Ukraine, and any other ranks within Judicial Protection Service shall be assigned according to Regulations on the Judicial Protection Service.

6. Any employee of the Judicial Protection Service, except for the highest ranks, may be demoted by one rank due to the imposition of the relevant disciplinary sanction according to the relevant procedure established for police by the Disciplinary Charter of the National Police of Ukraine.

If an employee of the Judicial Protection Service was demoted by one rank, he/she shall be promoted to the next higher rank in accordance with this Law and the Regulations on the Judicial Protection Service.

Article 165. Social welfare of employees of the Judicial Protection Service

1. Remuneration of employees of the Judicial Protection Service consists of the basic wage, special rank wage, additional allowance (increased basic wage, bonuses, and supplemental payments that are paid regularly), and one-off incentives.

2. Remuneration of employees of the Judicial Protection Service shall be established by the Cabinet of Ministers of Ukraine but in any case, should be at least equal to that of the police, and should create incentives for manning the Judicial Protection Service with qualified employees.

3. Employees of the Judicial Protection Service shall also receive additional social welfare as envisaged by the [Law of Ukraine](#) on the National Police from the State Budget of Ukraine, allocated for the needs of the Judicial Protection Service.

{Article 160 replaced with Chapter 4 pursuant to Law [N 2509-VIII of July 12, 2018](#)}

Section XII FINAL AND TRANSITIONAL PROVISIONS

1. This Law shall become effective upon the entry into force of the [Law of Ukraine](#) On Amendments to the Constitution of Ukraine (regarding justice), except for [clauses 39](#) and [48](#) of this Section that shall become effective on next day after the publication of this Law.

2. The [Law of Ukraine on Organisation of Courts and the Status of Judges](#) (Vidomosti of the Verkhovna Rada of Ukraine, 2010 p., N.N 41-45, page 529; 2015 p., N.N 18-20, page 132 as amended), except the provisions contained in [clauses 7](#), [23](#), [25](#), [36](#) of this Section, shall be deemed repealed by entry into force of this Law.

3. Raion, inter-raion, city, and city raion courts continue to act pending the establishment and commencement of operation of a city district court whose jurisdiction shall apply to the relevant area.

Commercial courts of the Autonomous Republic of Crimea, Oblasts, the cities of Kyiv and Sevastopol shall continue to exercise their powers before district commercial courts are established and functioning, and the jurisdiction of which shall cover the respective territory.

{Clause 3 Section XII supplemented with a new part pursuant to Law [N 1798-VIII of December 21, 2016](#)}

The appellate courts established before entry into force of this Law shall continue to act pending the establishment of appellate courts in relevant appellate districts. Such appellate

courts in a relevant appellate district must be established and commence administering justice not later than three years upon the effective date of this Law.

4. Within twelve months upon the effective date of this Law:

{Part 1, clause 4, Section XII as amended by Law [N 2147-VIII of October 3, 2017](#)}

1) the Supreme Court shall be established according to the procedure and with a composition described herein;

2) judges of the Supreme Court shall be appointed based on the selection process conducted in accordance with this Law.

{Clause 4 Section XII declared consistent with [the Constitution of Ukraine](#) (a constituent) by Decision of the Constitutional Court [N 2-p/2020 of February 18, 2020](#)}

5. The Supreme Court shall be established using material assets of the Supreme Court of Ukraine, High Specialised Court of Ukraine for civil and criminal cases, High Commercial Court of Ukraine, and the High Administrative Court of Ukraine.

5¹. Temporarily acting chief of the Supreme Court staff shall approved temporary structure and manning table of the Supreme Court, and shall thereafter appoint employees of the Supreme Court staff the number of which would be sufficient to commence the operation of the Supreme Court.

{Section XII supplemented with clause 5¹ pursuant to [N 2147-VIII of October 3, 2017](#)}

6. The Supreme Court of Ukraine, High Specialised Court of Ukraine for civil and criminal cases, High Commercial Court of Ukraine, and the High Administrative Court of Ukraine shall act within their scope of competence regulated by the procedural law until the Supreme Court composed in accordance with this Law is capable of operating, and until the procedural laws governing the review of cases by the Supreme Court composed in accordance with this Law, become effective.

7. *{Clause 7, Section XII "and shall be liquidated" as applicable to the Supreme Court of Ukraine declared as inconsistent with [the Constitution of Ukraine](#) (unconstitutional) by Decision of the Constitutional Court [N 2-p/2020 of February 18, 2020](#)}* Upon the commencement of the Supreme Court as envisaged by this Law, the Supreme Court of Ukraine, High Specialised Court of Ukraine for civil and criminal cases, High Commercial Court of Ukraine, and High Administrative Court of Ukraine shall terminate to operate and shall be liquidated. Pending such termination, the status, structure, powers, obligations and guarantees of the judges at these courts shall be governed by the [Law of Ukraine](#) on the Organisation of Courts and Status of Judges (Vidomosti of the Verkhovna Rada of Ukraine, 2010 p., N.N 41-45, page 529; 2015 p., N.N 18-20, page 132 as amended).

8. Date when the Supreme Court composed in accordance with this Law commences its operation shall be determined by its Plenum and shall be published on the judiciary website and in the newspaper "Holos Ukrainy".

{Clause 8 Section XII declared consistent with [the Constitution of Ukraine](#) (a constituent) by Decision of the Constitutional Court [N 2-p/2020 of February 18, 2020](#)}

9. The Supreme Court shall commence to operate provided that at least sixty-five judges of the Supreme Court have been appointed through the selection process conducted in accordance with this Law.

{Clause 9 Section XII declared consistent with [the Constitution of Ukraine](#) (a constituent) by Decision of the Constitutional Court [N 2-p/2020 of February 18, 2020](#)}

10. The number of positions at each cassational court shall be determined with due regard of the provisions of this Law applicable to the chambers that must be established at cassational court, a procedure for establishment of the Supreme Court's Grand Chamber, and taking into consideration other applicable requirements.

11. The organising committee, which shall within thirty days thereafter convene the Plenum of the Supreme Court, shall be established within five days upon the appointment of the sixty-fifth judge of the Supreme Court, in accordance with the principle of equal representation from each cassational court.

{Clause 11 Section XII declared consistent with [the Constitution of Ukraine](#) (a constituent) by Decision of the Constitutional Court [N 2-p/2020 of February 18, 2020](#)}

12. Within ten days upon the commencement of the Supreme Court, judges from each cassational court shall hold a meeting to discuss internal matters pertinent to each cassational court in accordance with this Law and to elect the judges to the Supreme Court's Grand Chamber.

13. Selection for positions of judges at the Supreme Court must begin at the relevant cassational courts within two months upon the effective date of this Law.

{Clause 13 Section XII declared consistent with [the Constitution of Ukraine](#) (a constituent) by Decision of the Constitutional Court [N 2-p/2020 of February 18, 2020](#)}

14. *{Clause 14, Section XII "judges of the Supreme Court of Ukraine" declared as inconsistent with [the Constitution of Ukraine](#) (unconstitutional) by Decision of the Constitutional Court [N 2-p/2020 of February 18, 2020](#)}* Judges of the Supreme Court of Ukraine, High Specialised Court of Ukraine for civil and criminal cases, High Commercial Court of Ukraine, and High Administrative Court of Ukraine may participate in the selection for the position of judges at the Supreme Court at relevant cassational courts according to the applicable procedure established by this Law.

Where any judges who run as candidates have equal rankings scored in the qualification assessment for selection to the Supreme Court and provided that all other conditions are equal, preference shall be given to the judge who has more experience of working at cassational courts or the Supreme Court of Ukraine.

15. The Higher Court for Intellectual Property shall be established, and the selection of judges for this Court shall be announced within twelve months upon the effective date of this Law.

16. The High Anti-Corruption Court shall be established, and the selection of judges for this Court shall be announced within twelve months upon the effective date of the Law that sets forth special eligibility requirements to the judges of this Court.

17. Powers of the judges appointed to a position for five years prior to entry into force of this Law shall terminate upon the expiry of such period of appointment. The judges whose powers terminated in connection with the expiry of such period of appointment, may be appointed through a selection process conducted pursuant to this Law.

{Clause 17 Section XII declared consistent with [the Constitution of Ukraine](#) (a constituent) by Decision of the Constitutional Court [N 2-p/2020 of February 18, 2020](#)}

18. The judges elected as the court chairperson or deputy chairperson before this Law came into force, shall act as the court chairperson or deputy chairperson until this period expired.

19. Any candidates to the position of a judge who, as of the sixtieth day upon the effective day of this Law, do not meet the eligibility criteria for the position of a judge as specified by [the Constitution of Ukraine](#) shall be rejected for selection or appointment.

20. If the judge was appointed to the position for five years or elected as a judge for the lifetime prior to the effective date of the [Law of Ukraine](#) On Amendments to the Constitution of Ukraine (regarding justice), the fitness of such judge to the position shall be evaluated by the High Qualification Commission of Judges of Ukraine in accordance with this Law.

In case the judge has failed such assessment based on the criteria of competence, professional ethics or integrity, or the judge refused to go through such assessment, this shall be sufficient grounds for removal of such judge from office by the relevant decision of High Council of Justice based upon the request of the relevant board of the High Qualification Commission of Judges of Ukraine.

21. The High Qualification Commission of Judges of Ukraine shall complete the qualification assessment that began prior to entry into force of this Law according to the rules that were effective as of the commencement of such assessment. The judges whose ability to administer justice at the relevant court has been proven by such assessment shall not be subjected to qualification assessment to certify their fitness for the position.

{Clause 22 Section XII excluded in accordance with Law [N 193-IX of October 16, 2019](#)}

{Clause 23 Section XII excluded in accordance with Law [N 193-IX of October 16, 2019](#)}

24. The basic wage of the judge, except as indicated in clause 23 of this Section shall be as follows:

1) from January 1, 2017:

1) local court judge: 15 x minimum living wage for capable persons as of January 1 of the calendar year;

2) judge of the appellate court or high-specialised court: 25 x minimum living wage for capable persons as of January 1 of the calendar year;

1) local court judge: 75 x minimum living wage for capable persons as of January 1 of the calendar year;

2) from January 1, 2018:

1) local court judge: 20 x minimum living wage for capable persons as of January 1 of the calendar year;

2) judge of the appellate court or high-specialised court: 30 x minimum living wage for capable persons as of January 1 of the calendar year;

3) from January 1, 2019:

1) local court judge: 25 x minimum living wage for capable persons as of January 1 of the calendar year;

2) judge of the appellate court or high-specialised court: 40 x minimum living wage for capable persons as of January 1 of the calendar year;

4) from January 1, 2020:

1) local court judge: 30 x minimum living wage for capable persons as of January 1 of the calendar year;

2) judge of the appellate court or high-specialised court: 50 x minimum living wage for capable persons as of January 1 of the calendar year;

{Clause 24 Section XII in the version of Law [N 1774-VIII of December 6, 2016](#)}

25. *{Clause 25, Section XII declared as inconsistent with [the Constitution of Ukraine \(unconstitutional\)](#) by Decision of the Constitutional Court [N 2-p/2020 of February 18, 2020](#)}. A judge who, based on the results of the qualification assessment, had confirmed the availability to hold his/her office (administering of justice in the respective court) or has been appointed as a judge following the competition that was held after this Law entered into force, and who had served as a judge for at least three years from the date when the decision regarding him/her was approved on the basis of the qualification assessment or the competition, shall be entitled to receiving a lifetime monthly financial allowance in the amount determined by this Law.*

In other cases, when a judge is retiring after this Law enters into force, the lifetime monthly financial allowance shall amount to 80 per cent of the judicial remuneration calculated according to the Law of Ukraine on the Organisation of Courts and the Status of Judges (Vidomosti of the Verkhovna Rada of Ukraine, 2010, No. No. 41-45, p. 529; 2015, No. No. 18-20, p. 132 as amended). Every full year of work as a judge over 20 years shall add two per cent to the monthly

lifetime financial allowance; however, it may not exceed 90 per cent of the judicial remuneration calculated according to the above-mentioned Law.

{Clause 25 Section XII as amended by Law [N 1774-VIII of December 6, 2016](#); in the version of Law [N 1798-VIII of December 21, 2016](#)}

26. Members of the High Qualification Commission of Judges of Ukraine elected/appointed prior to the effective date of this Law shall continue to act until the expiry of the term of such election/appointment.

Before January 1, 2017, the basic wage of members of the High Qualification Commission of Judges of Ukraine shall be equivalent to 10 minimum wages multiplied by 1.3, and any supplementary payments and mark-ups envisaged by the applicable law before this Law came into force, shall continue to apply.

{Clause 26 Section XII supplemented with a new part pursuant to [N 1798-VIII of December 21, 2016](#)}

27. Within thirty days upon the effective date of this Law, the Verkhovna Rada Commissioner for Human Rights and the Chairperson of the State Judicial Administration of Ukraine shall appoint one additional member each to the High Qualification Commission of Judges of Ukraine.

28. Within forty-five days upon the effective date of this Law, the High Qualification Commission of Judges of Ukraine shall make a decision on how its chambers will need to be organised and staffed.

29. The shortlisted candidates to the position of judge, provided that the expiry of the three-year period coincided with the period of one year before or ninety days after the effective date of this Law, and the candidates who, as of the effective date of this Law, were recommended by the High Qualification Commission of Judges of Ukraine but were not appointed to the position of judge, may participate in the selection for the position on terms and conditions established by this Law, without having to pass a selection examination and to complete a special training course. Such candidates shall take a qualification examination, and shall thereafter take part in the selection for the position of a judge according to the score shown.

{Clause 29 Section XII as amended by Law [N 2147-VIII of October 3, 2017](#)}

30. Materials and recommendations of the High Qualification Commission of Judges of Ukraine regarding the election of judges for a lifetime, and whereas of the effective date of this Law the Verkhovna Rada of Ukraine has not made any decision in relation thereto, shall be handed over by the Verkhovna Rada of Ukraine to the High Council of Justice within ten days upon its entry into force. The plenary meeting of the High Council of Justice shall make a decision so that every judge would be either appointed, or appointment would be rejected, and the materials would be immediately returned to the High Qualification Commission of Judges of Ukraine. The decision of the High Council of Justice to reject filing a request to the President of Ukraine for appointing the judge to the position shall be deemed sufficient ground for termination of the judge's employment with the relevant court under [Article 125](#) of this Law.

{Clause 30 Section XII as amended by Law [N 2509-VIII of July 12, 2018](#)}

31. Any complaints against the behaviour of the judges of local and appellate courts received by the High Qualification Commission of Judges of Ukraine prior to the effective date of this Law, shall be transferred for review to the High Council of Justice, provided, however, that as of the effective date of this Law the Commission has not resolved to initiate disciplinary action or to reject such initiation.

In case as of the entry into force hereof the High Qualification Commission of Judges of Ukraine decided to initiate disciplinary action, such action shall be reviewed by the boards of the Commission designated at its own discretion, following the procedure that was applicable as of the day of such disciplinary action. In any decisions made in relation to such disciplinary proceedings, the High Qualification Commission of Judges of Ukraine shall use the disciplinary sanctions referred to in this Law.

32. Any complaints against the judges the Supreme Court of Ukraine, High Specialised Court of Ukraine for civil and criminal cases, High Commercial Court of Ukraine, and the High Administrative Court of Ukraine, and any disciplinary actions initiated by the High Council of Justice prior to the effective date of this Law, provided that no decision has been made in connection therewith, shall be transferred to the High Council of Justice for review and making a decision. In any decisions made in relation to such disciplinary proceedings, the High Commission of Justice shall use the disciplinary sanctions referred to in this Law. The disciplinary action initiated prior to the effective date of this Law shall be considered by the disciplinary bodies of the High Council of Justice according to the procedure that was applicable as of the initiation of such disciplinary action.

33. Applications transferred by the Temporary Special Commission for Inspection of Judges of General Jurisdiction Courts to the High Council of Justice according to [paragraph 5](#), Article 2 of the Law of Ukraine on Restoration of Trust to the Judiciary in Ukraine, shall be reviewed by the disciplinary bodies of the High Council of Justice according to the procedure and within the time frame established for disciplinary proceedings by law. Disciplinary sanctions referred to in this Law shall be used following the review of such applications.

34. [Clause 10](#) Section II Final and Transitional Provisions the Law of Ukraine on Right to Fair Trial (Vidomosti of the Verkhovna Rada of Ukraine, 2015 p., N.N 18-20, page 132) shall be deemed repealed upon the effective date of this Law.

The judge who was seconded to another court by the decision of the High Qualification Commission of Judges of Ukraine, shall be entitled to the basic wage for the period commencing with such secondment and ending with the day when the High Qualification Commission of Judges of Ukraine made a decision on such secondment.

The judge who was seconded to another court by the decision of the High Qualification Commission of Judges of Ukraine according to [clause 10](#), Section II "Final and Transitional Provisions" of the Law of Ukraine on Right to Fair Trial, shall be deemed seconded to this court until the High Qualification Commission of Judges of Ukraine decides to terminate any such secondment. Provided, however, that duration of such secondment may not exceed six months upon the effective date of this Law.

The number of years of work experience of judges appointed or elected before this Law enters into force shall remain determined in accordance with the legislation effective on the date of their appointment.

{Clause 34 Section XII supplemented with part four pursuant to [N 1798-VIII of December 21, 2016](#)}

35. The Chairperson of the State Judicial Administration of Ukraine and Deputy Chairpersons of the State Judicial Administration of Ukraine shall continue to act pending the appointment of the Chairperson of the State Judicial Administration of Ukraine and Deputy Chairpersons in accordance with this Law.

36. Following the entry into force of Law and pending relevant amendments in the laws applicable to the Constitution Court of Ukraine, funding of the Constitution Court of Ukraine, amounts of judicial remuneration of judges the Constitution Court of Ukraine, and amount of lifetime monthly allowance of the judge of the Constitution Court of Ukraine shall be governed by [the Law of Ukraine](#) on the Organisation of Courts and Status of Judges (Vidomosti of the Verkhovna Rada of Ukraine, 2010 p., N.N 41-45, page 529; 2015, N.N 18-20, page 132 as amended).

Service record that makes the judge of the Constitution Court of Ukraine eligible for retirement and severance pay shall include other professional practice, research or teaching work, and time in public service.

37. Lists of jurors shall be made in accordance with the applicable provisions of this Law within six months upon its entry into force. Persons elected by public assessors may be included into the lists of jurors.

38. Pending the implementation of the automated system for processing of judge's / candidate judge's personal files, such personal files may exist in hard copy.

39. Temporarily, pending the full-scale performance as the Judicial Protection Service, functions that include maintenance of public order at court, stopping any displays of disrespect to the court, protection of premises of the court, institutions and authorities that belong to the justice sector, providing, on behalf of the state, personal protection for judges and their family members, and for court employees, and security of the litigants shall be carried out by the National Police of Ukraine and the National Guard of Ukraine.

40. Provisions of this Law shall apply with due regard to [Section XV](#) "Transitional Provisions" of the Constitution of Ukraine.

41. The High Qualifications Commission of Judges:

1) form of family relations declaration for the judge/candidate judge, and integrity declaration of the judge to be approved and published on the official website of the Commission within thirty days upon this Law becomes effective;

2) administrative and technical measures required to complete the family relations declaration for the judge/candidate judge, and the integrity declaration of the judge on the official website of the Commission in accordance with this Law to be taken within six months upon this Law becomes effective;

3) automated system for processing of personal files of judges/candidate judges to become operational within twelve months upon the effective date of this Law.

{Sub-clause 3 clause 41 Section XII as amended by Law [N 2147-VIII of October 3, 2017](#)}

42. The judges must file their family relations declaration and integrity declaration to the High Qualification Commission of Judges of Ukraine:

1) judges of the Supreme Court of Ukraine and judges of the high-specialised courts: within sixty days upon the effective date of this Law;

2) judge of the appellate courts: within ninety days upon the effective date of this Law;

3) judges of the local courts: within six months upon the effective date of this Law.

43. Before the High Qualification Commission of Judges of Ukraine implements sub-clause 2, clause 41 of this Section, family relations declarations and integrity declarations shall be submitted by judges and candidate judges as hard copies.

44. The High Council of Justice:

1) procedure for the protection of courts and institutions that belong to the system of justice, including for securing public order at such settings, to be approved upon the effective date of this Law jointly with the Ministry of Internal Affairs of Ukraine and in liaison with the State Judicial Administration of Ukraine.

{Sub-clause 2 clause 44 Section XII excluded according to Law [N 2509-VIII of July 12, 2018](#)}

45. The Cabinet of Ministers of Ukraine of Ukraine:

1) the Supreme Court of Ukraine to be accommodated in the premises that will be vacated due to liquidation of the Supreme Court of Ukraine, High Specialised Court of Ukraine for civil and criminal cases, High Commercial Court of Ukraine, and the High Administrative Court of Ukraine, within one year upon the effective date of this Law;

2) within three months from the date when this Law enters into force:

a) to bring its regulatory acts in line with this Law;

b) ensure that ministries and other central executive bodies bring their regulatory and legal acts in line with this Law;

3) include the expenditures associated with the implementation of this Law into the draft laws of Ukraine on the State Budget of Ukraine for 2017 and the subsequent years;

4) a complete [list of courts and institutions that belong to the justice sector](#) and that are protected by the National Police of Ukraine and the National Guard of Ukraine to be approved within two months upon the effective date of this Law.

46. The State Judicial Administration of Ukraine:

{Sub-clause 1 clause 46 Section XII excluded according to [N 2147-VIII of October 3, 2017](#)}

2) the Judicial Protection Service to be able to fully function in accordance with this Law not later than on January 1, 2019.

{Sub-clause 2 clause 46 Section XII as amended by Law [N 2509-VIII of July 12, 2018](#)}

47. Pending the operationalisation of the Unified Judicial IT System, the judge or the panel of judges shall be assigned to a case using the court's automated document flow system.

48. As of the next day after the publication of this Law:

1) the High Council of Justice may refuse to propose to the President of Ukraine to appoint a judge to position solely through its own assessment of situation related to the candidate and his/her personal qualities:

a) the existence of reasonable doubts as to the candidate's compliance with the criteria of integrity or compliance with professional ethics or other circumstances that may adversely affect public trust in the judiciary in connection with such appointment;

b) violation of the statutory procedure for appointment to the position of a judge;

2) should the High Council of Justice refuse to propose to the President of Ukraine to appoint a judge, it shall adopt a substantiated decision which may be contested in the manner prescribed by procedural law;

3) decision of the High Council of Justice to refuse to propose to the President of Ukraine to appoint a judge may be contested and overturned on the following grounds only:

a) members of the High Council of Justice who adopted the respective decision did not have the powers to do so;

b) the decision was not signed by a member of the High Council of Justice who participated in its adoption;

c) the decision does not refer to the statutory grounds for a refusal to make a submission on the appointment of a judge to the office to the President of Ukraine or to the reasons based on which the High Council of Justice reached its findings.

4) decisions made by the High Qualification Commission of Judges of Ukraine may be challenged according to [Article 88](#) of this Law.

President of Ukraine

Petro POROSHENKO

**City of Kyiv
June 2, 2016
N 1402-VIII**