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1. The Cabinet Enacts Procedure on Exemption from Fines for Non-Payment of Utility Bills by Households in NGCA

On 31 January of 2023 the Cabinet adopted [Decree №88](#), approving Procedure under which households can receive exemption from fines for non-payment of utility bills in NGCA. The relief can be received during the period of the Martial Law and six months after its termination or suspension.

<p>Eligible persons</p>	<ul style="list-style-type: none"> • households belonging to associations of co-owners of apartment buildings • housing cooperatives • other persons, who maintain the autonomous heating supply systems of an apartment building, duly authorized by co-owners.
<p>Pre-requisites</p>	<ul style="list-style-type: none"> • the apartment building is located: <ul style="list-style-type: none"> ○ in the NGCA ○ in the area of active hostilities • at least 30 % of the total living area of the house is recognized as unfit for living as a result of hostilities.
<p>Confirmation documents</p>	<ul style="list-style-type: none"> • Information proving that the relevant territory is determined as the area of active hostilities or NGCA in accordance with existing legal framework¹ • a copy of the Commission’s inspection report proving that at least 30 % of the total living space of such house is damaged

¹ Law 1207-VII ‘[On Ensuring Civil Rights and Freedoms, and the Legal Regime on the Temporarily Occupied Territory of Ukraine](#)’ and the [List](#) of territorial hromadas located in the area of hostilities or NGCA.

	<ul style="list-style-type: none">• a certificate of the executive body of the local administration confirming that the house was declared unfit for living as a result of hostilities.
Application procedure	Digital or hard copies of the abovementioned documents shall be sent by eligible persons to the natural gas supplier.
Outcome	The fines for late payment for natural gas shall not be imposed for the period during which the circumstances, confirmed by the documents, existed.

2. The Parliament Expands Eligibility Criteria for Civilians to Obtain the Status of a Person with Disability as a Consequence of War

Background: According to an OHCHR report a total of 11,756 persons were injured in Ukraine from 24 February 2022 up till 12 February 2023². The OHCHR noted that most of those casualties ‘were caused by the use of explosive weapons with wide area effects, including shelling from heavy artillery, multiple launch rocket systems, missiles and air strikes’. However, until 5 February 2023, victims were not eligible to secure the status of a person with disability as a consequence of war if they suffered such disability after 24 February 2022 elsewhere except for the conflict-affected territories of Donetsk and Luhansk oblasts.

Recent developments: On 12 January 2023, the Parliament adopted [Law №2864-IX](#) expanding the eligibility criteria. From now on such persons may get the legal status of a person with disability as a consequence of war if they were injured starting from 24 February 2022 in any conflict-affected territory of Ukraine, not limited to Donetsk and Luhansk oblasts.

3. Funds Collected from Expropriated Properties to be Used for IDP Housing, Among Other Purposes

Background: On 19 October 2022, the Parliament adopted [Law №2700-IX](#) establishing a ‘Restoration Fund for Liquidation of Consequences of War’ using property expropriated from the Russian Federation and its residents³.

Recent developments: On 10 February 2023, the Cabinet adopted [Decree №118](#), establishing the Procedure for the use of money from the Fund. The Procedure allows use of the fund for IDP housing including:

- construction, repair, or refurbishment of residential property for temporary housing of IDPs and persons who lost their housing as a consequence of war

² OHCHR: [Ukraine: civilian casualty update 12 February 2023](#).

³ For more information, please see [DRC Legal Alert Issue 86, Item 9](#).

- purchase of residential premises for persons, whose housing was destroyed as a consequence of war.

Money from the Fund may also be used for other purposes, *inter alia*, construction of public buildings and civil defence protective structures, restoration of critical infrastructure, purchase of special vehicles for schools, medical and communal facilities.

The use of the Fund is subject to the following conditions:

- The Fund is used for the development and purchase of temporary housing for IDPs or persons who lost housing as a consequence of war, which will remain under State or municipal ownership. However, this restriction does not apply to the housing for persons whose homes were totally destroyed as a consequence of the war
- regions, to which the Fund is allocated, must be classified as a restoration area
- projects, on which the Fund is allocated, must be included to the regional plan of restoration and development
- the maximum cost per square meter of the housing to be purchased or built may not exceed the indirect cost of housing construction for the region of the location of the housing as defined by the Ministry for Communities, Territories and Infrastructure Development of Ukraine.

Applications for the allocation of the money will be submitted by the corresponding State oblast` administrations and Kyiv State City Administration to the assigned Ministries. The money will be allocated upon the decision of the Cabinet. Separately, on 10 February 2023, the Cabinet adopted [Decree №125](#), establishing the procedure for the sale of property appropriated from the Russian Federation and its residents. The sale shall be carried out in accordance with the [Procedure for Conducting Electronic Auctions](#).

4. The Cabinet Establishes Interdepartmental Working Group on Humanitarian Demining

On 14 February 2023, the Cabinet adopted [Decree №136](#) establishing an Interdepartmental Working Group on Humanitarian Demining as the Cabinet`s consultative and advisory organ. The primary responsibilities of the working group are the following:

- Coordination and monitoring of demining activities of the executive authorities
- Drafting of proposals and legislation on demining policy
- Analysis of the results, problems and issues connected with the implementation of demining activities.

The Working Group is led by the First Deputy Prime Minister of Ukraine - Minister of Economy and is managed by the Ministry of Economy.

5. The Cabinet Amends the List of Charity Activities Exempted From Taxation

On 10 February 2023, the Cabinet adopted [Decree №121](#), expanding the list of charitable assistance exempted from personal income tax. The list includes the following charity activities:

- procurement of goods/services necessary for the restoration of damaged or destroyed residential or commercial property, *inter alia*, development of technical documentation, technical supervision etc.
- provision of means of unimpeded access to residential buildings and premises for persons with disabilities and other low-mobility groups
- provision of other social services in accordance with the [Classification of Social Services](#) such as mediation, consultation, caretaking, and other social services.

6. The Cabinet Adopts Procedure on the Use of Money for Social Support for Persons with Disabilities Including for IDPs

On 4 February 2023, the Cabinet introduced [Decree №120](#), establishing the Procedure for the use of money for social support for persons with disabilities.

The 2023 national budget has earmarked a budget line for these activities, to be administered by the Ministry of Social Policy. A special body of the Ministry called the Fund for Social Protection of Persons with Disabilities (the Fund) is responsible for spending the budget line.

Under the newly introduced Procedure, the recipients of Funds are:

- state non-profit entities that belong to the sphere of management of the Ministry of Social Policy
- public associations of persons with disabilities or their local offices.

Funding can be allocated for the following purposes:

- payment of one-time compensation and annual health care assistance to persons with disabilities and children with disabilities caused by explosives
- provision of technical and other rehabilitation equipment, prosthetics and orthotics
- providing sanatorium vouchers for persons with disabilities, payment of monetary compensation instead of sanatorium vouchers to certain categories of citizens and payment of travel expenses for citizens accompanying persons with disabilities⁴
- vocational training of persons with disabilities in educational institutions, financing of activities to promote employment of persons with disabilities, etc.

The Decree also highlights that the money from the Fund can be used to promote the employment of IDPs with disabilities.

⁴ In order to get the sanatorium voucher IDPs with disabilities have to be registered in the social protection department in the place of his/her actual residence in accordance with the IDP certificate.

7. The Cabinet Decides to Recognize Documents Issued by Foreign Authorities During the Martial Law and Six Months After Its Suspension or Termination

On 4 February 2023, the Cabinet introduced [Decree №107](#), recognizing documents issued by Foreign Authorities for the period of the Martial Law and 6 months after its suspension or termination. Such documents will be accepted in Ukraine without legalization in case such documents were accepted in Ukraine without special certification as of 24 February 2022.

The Decree also establishes that the following categories of persons may re-apply for a temporary residence permit within 30 days from the date of entry into force of the Decree:

- foreigners and stateless persons who arrived in Ukraine for the purpose of family reunification, employment or conclusion of a gig-contract⁵
- persons whose temporary residence permit expired between 27 December 2022 and the date of entry into force of this Decree (9 February 2023), and
- persons whose application documents were not accepted due to the absence of the apostille.

8. The Cabinet Clarifies Rules on Border Crossing for Women and Men with Children Serving in the State Authorities During the Martial Law

Under the existing framework ([Decree №57](#) of 27 January 1995) crossing of borders by State employees during the Martial Law is limited to business trips approved by the relevant authorities. On 7 February 2023 the Cabinet adopted [Decree №119](#), providing additional grounds for border crossing for State employees with minor children.

Category	Women serving in the State authority	Men serving in the State authority
Prerequisite	The person has or raise a minor/minors under the age of 18	
Purpose of border crossing	To visit a child residing outside of Ukraine or to accompany such child to travel outside of Ukraine	
Additional Condition for Men	N/A	a single parent, a single adoptive parent or a single guardian, custodian, foster parent or foster caregiver independently raising the minor without mother's participation

⁵ The gig-contract is an agreement for IT-specialists combining freelance features and social guarantees for IT-workers. For more information, please, see [DRC Legal Alert Issue 89, Item 5](#).

9. The Cabinet Opens a New Railway Crossing Point at the Border with Moldova

On 14 February 2023, the Cabinet adopted [Decree №147-p](#) establishing a new temporary international railway border crossing point 'Berezyne' between Ukraine and Moldova. The station located in Berezyne will be designated for rail freight service. The station will operate 24/7 during the Martial Law and 90 days after its termination or suspension.

Other Developments

- 1. Parliament Ratifies EU4Health Agreement Giving Access to EU Funds Aimed at Financing Projects for the Improvement of the Healthcare System** ([Law №2853-IX](#) of 12 January 2023).
- 2. The Parliament Extends the Martial Law and Mobilization up till 20 May 2023** ([Law №2916-IX](#) of 7 February 2023 and [Law №2915-IX](#) of 7 February 2023).
- 3. Ukraine Will Provide Humanitarian Aid to Turkey** ([Presidential Decree №61/2023](#) of 7 February 2023).
- 4. The Cabinet Allows Polish Citizens to Get a Credit for Professional Pre-High and Higher Education** ([Decree №100](#) of 4 February 2023).

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