

**WITH A LAW DECREE OF P AND  
On the National Bank of Ukraine**

*(Bulletin of the Verkhovna Rada of Ukraine (BVR), 1999, N 29, st.238)*

*(As amended by Laws*

*N 1458-III ([1458-14](#)) of 17.02.2000, BD, 2000, N 14-15-16, Article 121*

*N 1658-III ([1658-14](#)) of 20.04.2000, BD, 2000, N 29, st.230*

*N 1919-III ([1919-14](#)) of 13.07.2000, VRR, 2000, N 42, st.351*

*N 2121-III ([2121-14](#)) of 07.12.2000, BD, 2001, N 5-6, Article 30*

*N 2740-III ([2740-14](#)) of 20.09.2001, BD, 2002, N 5, Article 30*

*N 2922-III ([2922-14](#)) of 10.01.2002, BD, 2002, N 17, st.117*

*N 1416-IV ([1416-15](#)) of 03.02.2004, BD, 2004, N 19, st.256*

*N 3163-IV ([3163-15](#)) of 01.12.2005, BD, 2006, N 12, st.100*

*N 3235-IV ([3235-15](#)) of 20.12.2005, BD, 2006, N 9, N 10-11,  
st.96)*

*{For more information see. century. 97 of the Law*

*N 489-V ([489-16](#)) of 19.12.2006, BD, 2007, N 7-8, Art. 66}*

*{For more information see. Decision of the Constitutional Court*

*N 6-rp/2007 ([v0a6p710-07](#)) on 09.07.2007}*

*(Articles 1, 7, 9, 15, 25, 26, 41, 42, 55, 57, 58, 60,*

*61, 62, 63, 65, 67 the words "financial institution"*

*"Financial and credit institutions", "other financial and credit  
institutions, "" and other financial and credit institutions'*

*"And other financial institutions" in the relevant*

*cases excluded by Law N 1919-III*

*([1919-14](#)) of 13.07.2000)*

Section I

TERMS

**Article 1.** Terms and concepts

The terms and definitions used in the following  
meaning:

*(Second paragraph of Article 1 is excluded by Law*

*N 2922-III ([2922-14](#)) of 10.01.2002)*

precious metals - gold, silver, platinum, metals

platinum, brought (refined) samples according to the highest  
with international standards, bars and powders with certificate  
money and coins made of precious metals;

banking regulation - one of the functions of the National Bank  
Ukraine, which is to create a system of rules governing  
banking activities, define the general principles of banking  
activities, the exercise of banking supervision,  
responsibility for violations of banking laws;

banking supervision - control and active

organized actions of the National Bank of Ukraine aimed at  
ensure compliance by banks and other entities in respect of which

National Bank of Ukraine carries out supervisory activities legislation of Ukraine and established standards, in order to ensuring the stability of the banking system and protecting the interests of depositors and creditors of the bank; (Paragraph five of Article 1 amended in accordance with the Law N 2922-III ([2922-14](#)) of 10.01.2002)

currency values - material objects defined

Ukraine law on currency regulation as a means of monetary and financial relations;

open market - a market in which the operations of purchase and sale of securities between persons who are not the primary lenders and borrowers, and when the funds from the sale securities in such market receives the benefit of the holder securities rather than their issuer. Use central banks for sale are usually short-term government securities to regulate the money supply.

As a result of the purchase increases investment in the economy, the sale - is reduced;

currency position - the ratio of bank assets and liabilities in foreign currency. In their equity position is considered closed when inequality - open. The open position is short if

of the liabilities by currency sold than the claims, and long if the claims on purchased currency exceeds the amount commitments;

monetary policy - a set of measures in monetary and credit aimed at regulating economic growth, inflation and ensuring stability of the Ukraine, employment

population and alignment of the balance of payments;

money substitutes - any documents in the form of cash characters that are different from the currency of Ukraine, issued in circulation is not the National Bank of Ukraine and made for the purpose of payments in economic exchange, in addition to foreign exchange values; (Paragraph 1 of Article Tenth amended by the Law N 1919-III ([1919-14](#)) of 13.07.2000)

devizna monetary policy - monetary policy adjustment rate by buying and selling foreign currency;

Discount monetary policy - reducing or increasing National Bank of Ukraine in interest rates on loans to regulation of supply and demand for loan capital;

Foreign exchange reserves - reserves Ukraine are reflected in The National Bank of Ukraine, which include assets

recognized by the international community as international and designated for International Settlements;

*(Fourteenth paragraph of Article 1 is excluded by Law N 2922-III ([2922-14](#)) of 10.01.2002)*

lender of last resort - is usually the National Bank of Ukraine, which may refer a bank or other credit

Institution for refinancing when the exhaustion of other refinancing opportunities. National Bank of Ukraine has the right, but not required, to provide loans to refinance bank if it does not entail risks to the banking system;

treasury bonds - debt securities emitted by the state, through its competent authorities placed only on a voluntary basis between individuals and entities and certifies their owners funds to the budget and are entitled to receive financial income or other property rights under the terms of their release;

Metal accounts - accounts that are opened by authorized Ukraine banks to account for transactions made with precious metals;

basic principles of monetary policy - a set of variables indicators of the financial sector, enabling the National Bank of Ukraine with the help of tools (tools and methods) monetary policy to regulate monetary credit to the economy and to ensure stability

currency monetary Ukraine as preconditions for economic growth and maintain a high level of employment;

discount rate of the National Bank of Ukraine - expressed as percentage fee that is set by the National Bank of Ukraine refinancing of commercial banks by buying bills to maturity on them and deducted from the nominal amount bill. The discount rate is the lowest among the refinancing rates and is the benchmark price of money;

official publication of the National Bank of Ukraine - Special publication by the National Bank of Ukraine as official and registered in the prescribed manner in which published regulations of the National Bank of Ukraine and information-analytical, statistical and other materials reviews the state of the banking system of Ukraine, foreign exchange and financial markets, etc.;

official exchange rate - exchange rate officially established National Bank of Ukraine as the competent authority of the State;

balance of payments - the ratio between the amount of money proceeds received by the country from abroad, and the amount made it payments abroad for a certain period. To BOP includes payments for foreign trade, services, non-trading operations, income from investments abroad, trade licenses from chartering and ship service, tourism, maintenance of diplomatic and trade missions abroad, remittances individuals paying other countries for loans and so on. The balance of payments includes capital flows: investment and loans;

Reserve position in the International Monetary Fund (hereinafter - the IMF)

- The requirements of the Member State to the IMF, defined as the difference

between

quota and holdings of IMF (Member State) currency net cash holdings IMF received by the member in the form of loans IMF and balances IMF N 2, not exceeding one-tenth

percent of the member's quota;

refinancing rate of the National Bank of Ukraine - expressed in percent of the loans provided by commercial banks, which established by the National Bank of Ukraine to influence cash flow and credit. National Bank of Ukraine

set the discount and lombard interest rates;

Special Drawing Rights (SDRs) - an international reserve asset created by the IMF to supplement existing international reserve assets, which is a "basket" of five currencies, the composition which is reviewed every five years. Cost of special rights Drawing determined daily;

*(Twenty-sixth paragraph of Article 1 is excluded by Law N 2922-III ( [2922-14](#) ) of 10.01.2002)*

price stability - the maintenance of prices at a certain level by maintaining a stable exchange rate of the monetary unit of Ukraine.

*(Paragraph 1 of Article twenty-eighth excluded on the basis Law N 2922-III ( [2922-14](#) ) of 10.01.2002)*

**Article 2.** The legal basis of the National Bank Ukraine

National Bank of Ukraine (hereinafter - the National Bank) is central bank of Ukraine, a special central body governance, legal status, tasks, functions, powers and principles of the organization are determined Constitution of Ukraine, this Law and other laws of Ukraine. Place of management and central staff National Bank - the city of Kyiv.

**Article 3.** Authorized Capital

National Bank has a share capital, which is the government property.

The authorized capital of 10 million.

The authorized capital may be increased by decision of the National Bank. (Article 3, as amended according to the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

The sources of the share capital of the National Bank income is his estimate, if necessary - State Budget Ukraine.

**Article 4.** Economic independence

National Bank is economically independent body that makes expenditures from their own income within the approved estimates, as defined in this law - and by State Budget of Ukraine.

National Bank is a legal entity with separate property, that is the object of public property and are wholly economic management.

National Bank is not liable for the obligations of government and the public authorities responsible for liabilities of the bank, unless they voluntarily assume such obligations.

National Bank is not liable for the obligations of other banks and other banks are not liable for the obligations National Bank, unless they voluntarily take assume such obligations.

National Bank can open their institutions, branches and representations in Ukraine, and offices abroad.

National Bank, its agencies, affiliates and representative offices seal with the State Emblem of Ukraine and its names.

#### **Article 5. Revenues and Expenditures**

Profit is not the objective of the National Bank.

Expected revenues and expenditures of the National Bank reflected in the estimates of revenues and expenditures. Estimated income and expenses must be capable of implementation by the National Bank's functions, established by the Constitution of Ukraine and this Law.

*(The effect of Article 5 suspended in 2000 for pursuant to the Law N 1458-III ( [1458-14](#) ) of 17.02.2000)*

*National Bank for the year in excess estimated revenues over budgeted expenditures approved in current fiscal year, submit to the State Budget of Ukraine following the reporting year a positive difference to cover the deficit budget, and the excess of expenditure over income is compensated by the State Budget of Ukraine following the reporting year.*

Formation of funds and reserves of the bank on financial risks associated with the performance of his functions carried out in accordance with regulations approved by the Board National Bank of Ukraine. (Article 5 of amended by Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

#### **Article 6. Primary function of**

According to the Constitution of Ukraine ( [254k/96-VR](#) ) primary function of the National Bank is to ensure stability of units Ukraine.

To carry out its core functions, the National Bank promotes the stability of the banking system as well as within their powers - price stability.

#### **Article 7. Other Functions**

National Bank has the following functions:

1) as developed by the Council of the National Bank Ukraine Basic principles of monetary policy and determines conducting monetary policy;

- 2) monopoly issue the national currency of Ukraine and organize its circulation;
- 3) a creditor of last resort for banks and arranges refinancing system;
- 4) sets the rules of conducting banking operations, accounting and reporting, data security, funds and property;
- 5) organize and methodological support system monetary and banking statistics and balance of payments statistics;
- 6) defines a system, procedure and forms of payment, including between banks;
- 7) guides the development of modern electronic banking Technology creates, coordinates and oversees the creation of electronic means of payment, payment systems, banking automation business and banking information protection facilities;
- 8) provides banking regulation and supervision;
- 9) maintain the State Register of Banks, licensing banking activities and transactions provided by the laws cases; (Item 9 of Article 7, as amended in accordance with Law N 2922-III ( [2922-14](#) ) of 10.01.2002)
- 10) maintains the official registry identification number of issuers cards of domestic payment systems; (Article 7 amended by item 10 in accordance with the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)
- 11) provides certified auditors who conduct audit in banks and temporary administrators liquidator of the bank; (Article 11, paragraph 7 is supplemented by a Law N 2922-III ( [2922-14](#) ) of 10.01.2002)
- 12) is the balance of payments, analyze and forecasting;
- 13) represents Ukraine at the central banks of other States, international banks and other credit institutions where cooperation takes place between the central banks;
- 14) has defined according to a special law powers currency regulation defines the procedure for foreign currency transactions, organizes and carries out foreign exchange control of banks and other financial institutions that received NBU license for currency transactions;  
(Item 14 of Article 7 of the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)
- 15) to ensure the accumulation and storage of gold reserves and transactions with them and precious metals;
- 16) examines the state of monetary, financial, pricing and exchange relations;
- 17) organize the collection and transportation of banknotes and coins and other values, issues licenses for collection and transportation banknotes and coins and other valuables;

- 18) implement the national policy on the protection of public secrets of the National Bank;
- 19) participates in training for the banking system Ukraine;
- 20) determines the characteristics of the banking system Ukraine in the event of martial law or a special period carries mobilization preparation of the National Bank;  
*(Article 20, paragraph 7 is supplemented by the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)*
- 21) introduced in due course proposals for legislative regulation of aiming to implement functions of the National Bank of Ukraine; (Article 7 amended by item 21 according to the Law N 3163-IV ( [3163-15](#) ) of 01.12.2005)
- 22) provides methodological support for storage protection, use and disclosure of information that is banking secrecy; (Article 22, paragraph 7 is supplemented by a Law N 3163-IV ( [3163-15](#) ) of 01.12.2005)
- 23) perform other functions in the financial and credit sector within its competence as defined by law.

## Section II

### GOVERNING BODIES OF THE NATIONAL BANK

#### **Article 8.** Governing Bodies

The governing bodies of the National Bank is the Board of the National Bank of Ukraine (hereinafter - the Council of the National Bank) and the Board

National Bank of Ukraine (hereinafter - the National bank).

*(Article 8 of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)*

#### **Article 9.** Powers of the National Bank

Council of the National Bank:

- 1) in accordance with national economic development and basic parameters of economic and social of Ukraine until September 15 elaborates the basic principles monetary policy and introduce them to the Parliament of Ukraine information, monitors the implementation of the Basic Principles monetary policy;
- 2) analyzes the impact of monetary policy in Ukraine the state of socio-economic development of Ukraine and develops proposals for appropriate amendments thereto;
- 3) approve the Regulations of the National Bank of Ukraine;
- 4) approve the budget of revenues and expenditures of the National Bank and submit to the Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine to  
September 1 this year projected data on balance estimate for inclusion in the draft State Budget of Ukraine for the next year;
- 5) decide on increasing the share capital of the National Bank;

- 6) defines auditing company to conduct an audit of the National Bank check, considering the auditor's report and approve the balance sheet of the National Bank, published in the official print media annual balance sheet of the National Bank;
- 7) approve the annual report by July 1 of the performance estimates of the National Bank and the distribution of income during the reporting fiscal year;
- 8) approve the decision of the National Bank of participation in international financial institutions;
- 9) make recommendations to the Board of the National Bank within The basic principles of monetary policy with respect to:  
methods and forms of forecasting macroeconomic indicators of economic and social development of Ukraine and monetary policy;  
individual measures of monetary and regulatory nature and their impact on economic and social development of Ukraine;  
exchange rate policy and currency regulation;  
the banking system and separate regulations of the Banking activities;  
improving the payment system;  
other matters within the competence of the law of the National Bank;
- 10) make recommendations to the Cabinet of Ministers of Ukraine concerning the impact of the government debt and fiscal policy in the monetary sphere in Ukraine;
- 11) in order to perform basic principles of monetary policy has the right to use suspensive veto on decisions of the National Bank on:
  - a) diversify the assets of the bank and liquidity;
  - b) limit off balance sheet commitments;
  - c) provisioning, financial risks;
  - d) income deduction order to the State Budget of Ukraine;
  - d) the minimum amount of reserves;
  - e) other matters within its competence.

Council of the National Bank can not advise on feasibility appointment or dismissal of the Chairman of the National Bank, the Board of the National Bank or give personal assessment of some officials of the National Bank.

Council of the National Bank provides an assessment of the Board of the National Bank on Implementation of the monetary policy and other issues, the decisions of which are binding on the Board of the National Bank.

In case of repeated non-performance or improper performance of the Board of the National Bank of decisions of the National Bank, which are mandatory under the Act, the Board of the National Bank may apply to the National Bank or the Verkhovna Rada of Ukraine and the President of Ukraine to set out its position.

*(Article 9 of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)*

**Article 10.** Composition and formation of the National Bank



The Council consists of members of the National Bank of National Bank, appointed by the President of Ukraine and the Verkhovna Rada of Ukraine. Governor of the National Bank, appointed by the Supreme Council of Ukraine by the President of Ukraine, is a member of the National Bank for the post. (Part one of Article 10 of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

Member of the National Bank shall be a citizen of Ukraine, which has a higher economic or financial education or a degree in economics and finance and has experience with constant work in state legislatures and in leadership positions of the central executive power bodies of Ukraine or banking institution or scientific work the financial or economic issues.

President of Ukraine appoints seven members of the Board of National Bank by issuing an appropriate decree. (Art.

10 of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

Verkhovna Rada of Ukraine shall appoint seven members of the Board of National

Bank by adopting an appropriate resolution. (Part four of Article 10 of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

Nominations of persons for appointment to the Supreme Council of Ukraine National Bank Council members held discussions on a special open meetings of the Verkhovna

Rada of Ukraine, which makes its recommendations to the Verkhovna Rada of Ukraine. (Part five of Article 10 of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

Another purpose of the Council of the National Bank not later than three months before the expiry of the powers previously appointed members of the Board of the National Bank.

The members of the Board of the National Bank - seven years than the President of the National Bank, which is part of the National Bank for a term of exercise of powers by the office. (Part Seven of Article 10 of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

Termination of office of members of the National Bank takes place in connection with the termination of their office or in the case of:

- a) own desires, provided that a written application;
- b) termination of their citizenship or departure from Ukraine for permanent residence;
- c) the entry into force of conviction of a criminal offense;
- d) the death or by a court to declare a person dead or missing.

(Part eight of article 10 of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

In the cases specified in paragraphs "a" - "d" part eight of this article is allowed to appoint a new member of the Board of the National Bank before the expiry of one year from the date of appointment of the said member of the

Board of the National Bank. (Article 10 of the ninth edition of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

The powers of the appointed members of the Board of the National Bank of prematurely terminated in the event announcement to her distrust President of

Ukraine and the Verkhovna Rada of Ukraine due to the fact that the implementation of

the General Principles of the monetary policy for the year does not provide the stability of the monetary unit of Ukraine. In this case, the President of Ukraine and the Verkhovna Rada of Ukraine shall each release their representatives and assign the new Board of the National Bank. (Part Ten of Article 10 of the Law

N 1919-III ( [1919-14](#) ) of 13.07.2000)

Ukraine president dismisses the members of the National Bank, appointed by him, by appropriate decree, but not earlier than one year from the date of appointment.

Parliament of Ukraine dismisses the members of the National bank designated by the adoption of the resolution for submission of committees of the Verkhovna Rada of Ukraine, but not earlier than one year from the date of appointment.

Powers of the National Bank as a member of the National Bank of prematurely terminated due to his resignation or termination from office for other reasons stipulated by this Law.

Members of the National Bank shall serve on a voluntary basis. Members of the National Bank paid the expenses incurred in connection with the performance of their duties in accordance with the Rules of the National Bank. (Part of the Fourteenth Article 10 as amended by Law N

1919-III ( [1919-14](#) ) of 13.07.2000)

Internal issues of the Council of the National Bank, order management, and other matters determined by the Regulations, approved at its meeting.

Accommodation and organizational financial support of the National Bank carried out by the National Bank by its estimated costs.

**Article 11.** Procedure of the Council of the National Bank  
The Council of the National Bank held at least once per quarter.

Extraordinary meeting of the National Bank convened by the Chairman of the National Bank on his own initiative or by the Board of the National Bank at the urging of at least one third of the total number of its members, and at the request of the Chairman of the National Bank of Ukraine. Members of the National Bank notified about the meeting no later than five calendar days prior to the date of the meeting. The procedure of early meetings of the National Bank determined its Regulations. (Part two of Article 11 as amended by Law N 1919-III

( [1919-14](#) ) of 13.07.2000)

The Council of the National Bank is authorized by the presence of at least ten members. (Art. 11 of the amended pursuant to the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

The Council of the National Bank is President of the National Bank, and in the absence - his deputy, in accordance with the Regulation.

Decisions are taken by simple majority of the total number of the members of the National Bank.

Each member of the Board of the National Bank shall have one vote.

At the meeting of the National Bank may be invited leaders of the central government, and representatives of business entrepreneurship, academics and other experts.

Members of the Board of the National Bank may participate in the work of the National Bank in an advisory capacity.

*(Part seven of Article 11 of the Law N 1919-III ( [1919-14](#)) of 13.07.2000)*

**Article 12.** President of the National Bank and his deputy  
President of the National Bank shall be elected by the Board of the National Bank for three years. (Article 12 of the Law N 1919-III ( [1919-14](#)) of 13.07.2000)

President of the National Bank:

organizing a meeting of the National Bank and preside over them;

convene extraordinary meetings on his own initiative or at the urging of at least one third of the total

members of the National Bank, and at the request of the Chairman of the National Bank;

exercise other powers and functions in accordance with the Rules of the National Bank of Ukraine;

*(Article 12 of the Law N 1919-III ( [1919-14](#)) of 13.07.2000)*

President of the National Bank shall have a deputy, who shall be elected by the Board of the National Bank for three years.

*(Art. 12 of the Law N 1919-III ( [1919-14](#)) of 13.07.2000)*

Deputy Chairman of the replacement of the National Bank in the event of his absence or inability them to exercise their powers and perform other powers and functions in accordance with the decisions of the National Bank.

Dismissal of the President of the National Bank or its deputy during his term of office shall be effected:

upon the expiration of his term of office;

at our option, subject to the submission of a written application;

in the case of systematic misconduct as

health for four months.

In the event of termination of office of the Chairman of the National Bank and deputy election for this position are carried out in the manner prescribed by this Law.

**Article 13.** Decision of the National Bank and the suspensive veto

Materials meeting of the National Bank issued in the form of protocols and solutions and be signed by the chairman at its meeting.

Decision of the National Bank on the General Principles of monetary policy and on matters specified in paragraphs 4-8, 11, article 9 of this law are binding on the Board of the

National Bank. (Article 13 of the Law  
N 1919-III ( [1919-14](#) ) of 13.07.2000)

Recommendations of the National Bank are considered  
by the Board of the National Bank within five working days. By  
results of this review, the Board of the National Bank  
must submit to the National Bank of reasoned  
response.

Council of the National Bank has no right to interfere in the operational  
activities of the National Bank.

In the event the Board of the National Bank uses suspensive  
veto on decisions of the Board, the decision shall take effect only  
when its confirmation by two-thirds of the total  
members of the Board of the National Bank within a five-day  
period from the date of veto. If the decision is not timely  
confirmed by two-thirds of the members  
of the Board of the National Bank, it is considered as not  
being enforced. In case the decision of the National  
Bank entered into force until the application suspensive veto  
on it, it stops the action for a period of consideration by the Board of  
the National Bank of suspensive veto. (Part five of Article 13  
of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

The decision of the National Bank shall be published,  
except in cases where such decisions constitute state, banking  
or professional secrecy by law.

Members of the Board of the National Bank shall be prohibited to disclose  
government, banking or professional secrecy, which has become known to them  
in  
connection with the exercise of their powers under the  
Regulation.

**Article 14.** Functions of the National Bank

Board of the National Bank in accordance with basic principles  
of monetary policy through appropriate monetary instruments  
and other means of banking regulation ensures the implementation of  
monetary policy, organize other functions  
in accordance with Articles 6 and 7 of this Act and manages the  
activities of the National Bank.

**Article 15.** Powers of the Board of the National Bank  
Board of the National Bank:

1) decide:  
on economic assets and monetary techniques required  
to implement basic principles of monetary and credit policy  
in accordance with the decisions of the National Bank of these  
issues and the need for stability and the purchasing  
power of national currencies;  
Ukraine to issue currency and withdrawal of banknotes and  
coins;  
a change in interest rates of the National Bank;  
diversification of assets of the bank and  
the liquidity  
limits on off-balance sheet liabilities of the National Bank;  
of provisioning and financial risks  
of the National Bank;

on the distribution of income and deduction procedure proceeds to the State Budget of Ukraine;  
the minimum size of the reserves of the National Bank;  
setting limits on open market operations, which are made by the bank;  
a list of securities and other assets eligible for collateral for loans to the National Bank;  
on the conditions of admission of foreign capital in the banking system of Ukraine;  
establishment of prudential regulations for banks;  
about the size and order of formation of the required reserves for banks;  
of enforcement for banks and other persons whose activities are checked by the National Bank pursuant to the Law of Ukraine "On Banks and Banking Activity" ([2121-14](#)); (*Paragraph fifteenth paragraph 1 of Article 15 of the Law N 2922-III ( [2922-14](#) ) of 10.01.2002*)  
on the establishment and liquidation of enterprises, institutions of the National Bank;  
on participation in international financial institutions;  
purchase and sale of property for the support of the National Bank;  
about change for the compliance with the law services (the transactions); (Paragraph 1 of Article 15 is supplemented by the paragraph pursuant to Law N 2922-III ( [2922-14](#) ) of 10.01.2002) (Item 1 of Article 15 of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)  
2) submit for the approval of the National Bank of the annual report of the National Bank, the draft estimates of income and expenditure for the following year, and other documents and decisions in accordance with Article 9 of this Law;  
The staff of the National Bank provides to inform accounting, statistical and other information about the activities of the National Bank and the banking system of Ukraine required to perform its tasks;  
(*Paragraph 2 of Article 15 of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000*)  
3) defines the organizational framework and structure of the National Bank, approves regulations on structural units and institutions of the National Bank, the statutes of its businesses, the appointment department managers, businesses and institutions;  
4) approve the staffing table of the National Bank and the forms of remuneration; (Clause 4 as amended pursuant to the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)  
5) provides for granting banking licenses to banks, other licenses to legal entities to carry out certain banking transactions and other licenses and permits in cases prescribed by law; (Paragraph 5 of Article 15 of the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

- 6) issues regulations of the National Bank; (Item 6 of Article 15, as amended by the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)
- 7) approve the Regulations of the Board of the National Bank;
- 8) perform the functions referred to in Articles 3, 23, 28, 60 and 64 of this Law and other features resulting from the primary objective of the National Bank.

**Article 16.** Composition of the Board of the National Bank

The head of the National Bank Governor of the National Bank.

Quantitative and personal composition of the Board of the National Bank approved by the National Bank by the Chairman of the National Bank.

Deputy Governor of the National Bank is a member of the Board of the National Bank of the post.

**Article 17.** Modus Operandi of the National Bank

The organization and conduct of meetings of the Board of the National Bank is determined by the Regulation.

**Article 18.** Appointment and dismissal of the Chairman of the National Bank

National Bank Chairman is appointed by the Verkhovna Rada of Ukraine by the President of Ukraine the majority of the constitutional composition of the Verkhovna Rada of Ukraine for five years.

If not approved by the Verkhovna Rada of Ukraine of candidates proposed by the President of Ukraine, issues management by the National Bank, and also for the introduction of new candidates are governed by the Law of Ukraine "On temporary duty officers who were appointed to the consent of the Verkhovna Rada of Ukraine President of Ukraine and the Verkhovna Rada Ukraine on the proposal of

the President of Ukraine "( [709/97-VR](#) ). One candidate could be introduced no more than two times.

Governor of the National Bank dismissed by the Verkhovna Rada of Ukraine by the President of Ukraine in the following cases:

- 1) the expiration of the term of office;
- 2) The entry into force of conviction of a criminal offense;
- 3) due to the resignation for political or personal reasons, lodged in writing and accepted by the President of Ukraine;
- 4) The death or a court decision to declare a person dead or missing;
- 5) termination of citizenship or departure from Ukraine for permanent residence;
- 6) by the President of Ukraine within its constitutional powers.

(Art. 18 of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

**Article 19.** Duties and powers of the Governor of the National Bank

Governor of the National Bank:

- 1) manages the National Bank;

- 2) acting on behalf of the bank and represents his interests without authorization in relations with public authorities, with banks, financial and credit institutions, international organizations, other agencies and organizations;
- 3) presides at meetings of the Board of the National Bank;
- 4) sign the minutes, resolutions of the Board of the National Bank, orders and instructions, as well as agreements concluded by the National Bank;
- 5) divides responsibilities between Vice Chairman of the National Bank;
- 6) issue administrative acts binding on all employees of the National Bank, its businesses, institutions,
- 7) decide on other matters relating to the activities of the National Bank, in addition referred to the exclusive competence of the National Bank and the National Bank under this Act;
- 8) alone is responsible to the Parliament of Ukraine and the President of Ukraine for the National Bank.

**Article 20.** Deputy Governor of the National Bank  
Governor of the National Bank is one of the first deputy and three alternates, who are appointed and dismissed them for approval by the Board of the National Bank.

*(Article 20 as amended by Law N 1919-III*

*( [1919-14](#) ) of 13.07.2000)*

**Article 21.** Appointment and dismissal of directors of Departametiv Directors of the National Bank appointed and dismissed by the Governor of the National Bank under the labor legislation of Ukraine.

### **Section III**

#### ORGANIZATIONAL STRUCTURE AND BASIS OF NATIONAL BANK

**Article 22.** structure of the National Bank

The structure of the National Bank based on the principle of centralization of vertical subordination.

The system consists of the National Bank of the central office, branch (Regional Office), clearing houses, Banknote Printing and Minting Banknote Paper Mill, the State treasury Ukraine, Central Repository, specialized companies, banking institutions and other structural units and units required for the operation National Bank.

National Bank within the limits set by law, to decide the question of creation, liquidation and reorganization of structural units and institutions of the National Bank, its businesses, approve their statutes and regulations. For the collection and protection of property and facilities National Bank has departmental guard, armed combat firearms.

**Article 23.** rank affiliates

Affiliates (Regional Office) National Bank have no legal status and can not issue regulations on behalf of the National Bank received within him powers. Tasks and functions of the National Bank branches

are determined by the Regulations approved by the Board of the National Bank.

#### **Section IV**

##### **MONETARY POLICY**

#### **Article 24. Basic principles of monetary policy**

Basic principles of monetary policy based on fixed criteria and macroeconomic indicators of national economic development programs and the basic parameters of economic and social development of Ukraine for the relevant period, including forward-looking indicators of gross domestic product, inflation, the size of the deficit of the state budget and the sources of its coverage, payments and trade balance, approved by the Cabinet of Ministers of Ukraine. Each year, the National Bank of Ukraine shall inform Parliament about directions of monetary and exchange rate policy, developed by the National Bank for the next year and for a longer period.

#### **Article 25. means and methods of monetary policy**

The main economic means and methods of monetary policy is to regulate the money supply through:

- 1) the definition and regulation of required reserves of commercial banks;
- 2) The interest rate policy;
- 3) the refinancing of commercial banks;
- 4) management of foreign exchange reserves;
- 5) transactions in securities (other than securities confirming the corporate rights), including treasury obligations in the open market; (Paragraph 5 of Article 25 of Law N 1919-III ( [1919-14](#) ) of 13.07.2000)
- 6) regulate the import and export of capital;
- 7) issue its own debt and transactions with them.

*(Article 25, paragraph 7, supplemented by the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)*

#### **Article 26. Reserve requirements**

*(Name of article 26 of the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)*

National Bank Bank shall establish the mandatory reserve funds. Thus: (Article 26 as amended pursuant to the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

- 1) reserve requirements established only for banks as a percentage of the total amount borrowed bank money in local and foreign currencies; (Paragraph 1 of Article 26, as amended by the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)
- 2) for different types of obligations may be imposed various Reserve requirements; (Paragraph 2 of Article 26 as amended pursuant to the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)
- 3) The decision to raise the ratio of compulsory redundancy takes effect no earlier than 10 days after its publication. (Paragraph 3 of Article 26 as amended by Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

#### **Article 27. interest rates**



National Bank establishes the procedure for determining the discount rate and other interest rates on its operations.

**Article 28.** Managing foreign exchange reserves

The National Bank manages foreign exchange reserves of the state, making foreign exchange intervention by the purchase and sale of currency values in foreign exchange markets to influence the exchange rate against foreign currencies and the overall demand and supply of money in Ukraine.

**Article 29.** Operations Open Market

Open market operations of the National Bank is the purchase and sale of treasury bills and other securities market (excluding securities confirming the corporate rights) and liabilities determined by the Board of the National Bank.

*(Article 29 of the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)*

**Article 30.** Regulation of import and export of capital

National Bank of Ukraine in accordance with the laws of foreign trade activities and the system of currency regulation and currency control regulates the import and export of capital.

**Article 31.** funds of the State Budget of Ukraine

The Cabinet of Ministers of Ukraine shall keep the funds of the State Budget of Ukraine and extra-budgetary funds in the National Bank in the State Treasury of Ukraine.

Conditions and procedure for service of the State Budget of Ukraine are determined by agreement between the National Bank and the State Treasury of Ukraine.

**Section V**

MANAGEMENT cash circulation

**Article 32.** Currency

The monetary unit of Ukraine is the hryvnia, equal to 100 kopecks.

Issue and circulation in Ukraine and other currencies use money substitutes as means of payment are prohibited. Formal relationship between the UAH and gold or other precious metals is not installed.

**Article 33.** Powers of the National Bank on cash circulation

To ensure the cash turnover of the National Bank shall:

- 1) production and storage of banknotes and coins;
- 2) the creation of reserve funds banknotes and coins;
- 3) establishment of denominations, security systems, payment features and design of banknotes;
- 4) establish procedures for the replacement of damaged banknotes and coins;
- 5) establish rules for issuance, storage, transportation, removal and collection of cash;
- 6) determine the order of cash transactions for banks, other financial institutions, enterprises and organizations; (Item 6 of Article 33, as amended by the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)
- 7) determine requirements for maintenance of the status and protection of areas of banking institutions.

**Article 34.** Issue

The exclusive right to put into circulation (issue) UAH and token coins, the organization of their treatment and the retirement of belonging to the National Bank.

Cash in circulation as currency - banknotes (paper) and coins (metal). The total amount put into circulation banknotes and coins mentioned in the accounts of the National Bank as its liabilities.

Banknotes and coins are unconditional liabilities of the Bank and provided all of its assets.

**Article 35.** banknotes and coins

Hryvnia (banknotes and coins) as the national currency is the only legal tender on the territory of Ukraine, adopted by all natural and legal persons without any restrictions on the entire territory of Ukraine for all types of payments, as well as admission to the accounts, deposits, letters of credit for transfers.

**Article 36.** Hryvnia Rate

National Bank sets the official exchange rate of hryvnia to foreign currencies and publish it.

To control the rate of hryvnia against foreign currencies, the National Bank uses foreign reserves, buys and sells securities establishes and modifies the refinancing rate and uses other instruments regulating the money supply.

**Article 37.** Convertibility Hryvnia

Conditions and procedure for the conversion (exchange) rate of hryvnia to foreign currencies by the National Bank established under the laws of Ukraine on currency regulation.

National Bank can not restrict the rights of subjects of foreign exchange market to trade in foreign currency are guaranteed to them by law.

**Article 38.** Procedure for replacing worn and damaged banknotes and coins

Worn and damaged banknotes Ukraine accepted and exchanged free of charge at the new banknotes by the National Bank of Ukraine and banks without restrictions on the amount and timing of the change.

(Article 38 as amended pursuant to the Law

N 2922-III ( [2922-14](#) ) of 10.01.2002)

Features and procedure for determining the solvency of money, as well order the exchange of worn and damaged banknotes are set by the National Bank.

**Article 39.** Withdrawal of banknotes and coins

National Bank, Bank of Ukraine shall exclude false, counterfeit or those that do not have the required attributes solvency, bank notes (bills and coins).

(Article 39 as amended pursuant to the Law

N 2922-III ( [2922-14](#) ) of 10.01.2002)

The procedure for removal of such currency is set by the National Bank and regulated by the relevant regulatory acts.

National Bank and banks are not required to reimburse destroyed, lost, counterfeit, fake and those that have become invalid banknotes and coins.

*(Art. 39 was amended according to the Law*

*N 2922-III ( [2922-14](#) ) of 10.01.2002)*

National Bank officially announced through the media about the retirement of Ukraine currency (banknotes, coins).

Production for the purpose of putting into circulation or putting into circulation

of counterfeit banknotes entail responsibility according to the legislation of Ukraine.

## **Section VI**

### **ORGANIZATION OF ACCOUNTS AND ACCOUNTING**

#### **Article 40. Adjusting payments**

National Bank sets the rules, forms and standards settlement banks and other businesses and individuals in economic circulation Ukraine using both paper and electronic documents and payment instruments and cash payments coordinating organization, provides permits for the clearing and settlement of transactions.

*(Article 40 as amended pursuant to the Law*

*N 2922-III ( [2922-14](#) ) of 10.01.2002)*

National Bank provides interbank payments through its institutions, giving permission to conduct interbank payments through direct correspondent relations with banks and through their own clearing system.

*(Article 40 as amended pursuant to the Law*

*N 2922-III ( [2922-14](#) ) of 10.01.2002)*

#### **Article 41. Regulation of accounting**

National Bank establishes mandatory standards for banks and rules of accounting and reporting that comply with the legislation of Ukraine.

## **Chapter VII**

NBU

#### **Article 42. Kinds of NBU**

National Bank for the fulfillment of its functions has the following operations:

- 1) provides loans to commercial banks to maintain liquidity at a rate not lower the refinancing rate of the National Bank and in the manner prescribed by the National Bank;
- 2) provides loans to fund the Deposit Guarantee against securities at a price not lower than the rate of inflation for the period of 5 years; (Article 42, paragraph 2 is supplemented by the Law N 2740-III ( [2740-14](#) ) of 20.09.2001)
- 3) Exercise discount real bills and checks in the order determined by the National Bank;
- 4) buys and sells in the secondary market securities in accordance with the legislation of Ukraine;
- 5) opens its own correspondent and metal accounts in foreign banks and maintains accounts of correspondent banks;
- 6) buys and sells currency values for the purpose of monetary control;

7) saves precious metals, and buys and sells precious metals, precious metals, gemstones and other jewelry, commemorative and investment coins made of precious metals in domestic and foreign markets without quotas and licensing; (Paragraph of Article 42 changed and amended according to Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

8) puts gold reserves on their own or through banks authorized him to conduct foreign exchange operations, performs with gold reserves of Ukraine banks whose rating by the international rating agencies meet the requirements of first-class banks to not less than Category A;

9) takes the storage and management of government securities, securities and other assets;

10) issuing guarantees and sureties, in accordance with regulations approved by the Board of the National Bank;

11) is due to the State Treasury of Ukraine with payment and accrual of interest;

12) performs servicing public debt, associated with the placement of government securities, their repayment and payment of interest on them;

13) maintain personal accounts of employees of the National Bank; (Paragraph of Article 42 as amended pursuant to the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

14) keep accounts of international organizations;

15) provides indisputable collection of funds from the accounts of their clients in accordance with the laws of Ukraine, including the court's decision. (Paragraph of Article 42 as amended by the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

National Bank has the right to perform other operations necessary for the performance of its functions.

National Bank has the right to impose a fee for providing him according to law services (the transactions).

*(Article 42 the third paragraph is supplemented by the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)*

**Article 43.** Participation in international organizations

National Bank has the right to take part in the formation of capital and the activities of international organizations under international treaties to which Ukraine is a party to, and in accordance with the agreements between it and foreign central banks.

## **Section VIII**

### **ACTIVITIES NATIONAL BANK ON OPERATIONS**

currency values

**Article 44.** Authority in the sphere of currency regulation and control

*(Name of article 44, as amended by the Law*

*N 2922-III ( [2922-14](#) ) of 10.01.2002)*

National Bank operates as an authorized government agency in the application of the legislation of Ukraine on currency regulation and currency control.

The competence of the National Bank in the foreign exchange regulation and control include: (Article 44 of the

amended pursuant to the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

- 1) the publication of legal acts in respect of the foreign exchange transactions; (Paragraph 1 of Article 44, as amended by the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)
- 2) the issuance and revocation of licenses, monitoring, in particular by the implementation of planned and unplanned inspections by the activities of banks, businesses and individuals (residents and nonresidents), licensed by the National Bank on currency transactions in the observance of the foreign exchange law , (Paragraph 2 of Article 44 in the wording of the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)
- 3) establishment of open currency position limits for banks and other institutions that buy and sell foreign currency;
- 4) application of measures liable to banks, legal and natural persons (residents and non-residents) for violation of currency regulation and currency control. (Article 44, paragraph 4, supplemented by the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

**Article 45.** Organization of the foreign exchange market  
National Bank determines the structure of the foreign exchange market of Ukraine  
and organizes trade currency values on it in accordance with the laws of Ukraine on currency regulation.

**Article 46.** devizna discount and exchange rate policy  
National Bank conducts monetary deviznu and discount policies and, where necessary, apply exchange restrictions.  
The NBU discount monetary policy  
by changing the discount rate of the National Bank to regulate the movement of capital and the balance of payment obligations, as well as currency exchange rate adjustment Ukraine to foreign currencies.  
The NBU deviznu monetary policy on  
the basis of rate regulation Ukraine currency against foreign currencies by buying and selling foreign currencies in the financial markets.

**Article 47.** structure of the reserves  
To ensure internal and external stability of the currency of Ukraine National Bank has a gold reserve, which consists of the following assets:  
monetary gold;  
special drawing rights;  
Reserve position in the IMF;  
foreign currency in the form of banknotes and coins or money to accounts abroad;  
securities (other than shares) that are paid in foreign currency;  
any other internationally recognized reserve assets provided to ensure their safety and liquidity.  
(Article 47 as amended by Law N 1919-III  
( [1919-14](#) ) of 13.07.2000)

**Article 48.** Updating and using the reserves  
Replenishment of reserves held by the National Bank through:

- 1) purchase of monetary gold and foreign currency; (Paragraph 1 of Article 48, as amended by the Law N 1919-III  
( [1919-14](#) ) of 13.07.2000)

2) revenues from transactions in foreign currencies, precious metals and other internationally recognized reserve asset;

3) the involvement of the National Bank of currency from international financial institutions, central banks of foreign countries and other creditors.

Use of reserves is carried out

by the National Bank on the following objectives:

1) purchase of currency on financial markets for monetary policy, including exchange rate policy;

2) costs on foreign currency monetary metals, and other internationally recognized reserve asset.

You may not use the reserves for

loans and guarantees and other commitments to residents and non-residents of Ukraine.

**Article 49.** storage gold reserves

National Bank is the custodian of state gold reserves, as well as precious metals, gemstones and other jewelry.

*(Article 49 of the Law N 1416-IV ( [1416-15](#) ) of 03.02.2004)*

**Article 50.** currency non-operating income and losses

Gains and losses NBU related to changes in

the valuation of assets and liabilities presented in the form of bank

foreign exchange and gold, Special Drawing Rights, in

connection with changes in exchange rates and gold prices

are taken into account and compensated as follows:

1) the net foreign exchange earnings and losses zbalansovuyutsya appropriate amount of the special reserve account of revaluation of foreign exchange reserves in the balance sheet of the National Bank;

2) The above net income and losses are not taken into account when calculating the annual income of the National Bank.

## **Section IX**

RELATIONSHIP WITH PRESIDENT OF UKRAINE, Supreme

COUNCIL OF UKRAINE UKRAINE and Cabinet

**Article 51.** Accountability

Accountable to the President of the National Bank of Ukraine and the Verkhovna

Rada of Ukraine within its constitutional powers.

Accountability means:

1) the appointment and dismissal of the Chairman of the National Bank of the Verkhovna Rada of Ukraine by the President of Ukraine;

2) The appointment and dismissal of the President of Ukraine half of the Board of the National Bank;

3) The appointment and dismissal of the Verkhovna Rada of Ukraine half of the Board of the National Bank;

4) Report of the National Bank of Ukraine Parliament on the activities of the National Bank;

5) Provision President of Ukraine and the Verkhovna Rada of Ukraine twice a year about the monetary market in the country.

National Bank of Ukraine has the right to submit to the President of

Ukraine in accordance with established procedure, proposals for legislative

regulation of issues designed to perform the functions of the National Bank of Ukraine. (Article 51 supplemented by part three pursuant to the Law N 3163-IV ( [3163-15](#) ) of 01.12.2005)

**Article 52.** Relations with the Cabinet of Ministers of Ukraine  
National Bank of Ukraine and the Cabinet of Ministers hold mutual consultations on monetary policy, development and implementation of national economic and social development.

National Bank at the request of the Cabinet of Ministers of Ukraine gives information on monetary processes.

The Cabinet of Ministers of Ukraine, ministries and other central executive authorities at the request of the National Bank provided information has an impact on the balance of payments.

National Bank to support the economic policy of the Cabinet of Ministers of Ukraine, if it does not contradict ensure stability of the Ukraine.

Governor of the National Bank or on behalf of one of his deputies may participate in the meetings of the Cabinet of Ministers of Ukraine in an advisory capacity.

At meetings of the Board of the National Bank may take part members of the Cabinet of Ministers of Ukraine in an advisory capacity.

National Bank of Ukraine has the right to present the Cabinet of Ministers of Ukraine in due course proposal for legislative regulation of aiming to perform the functions of the National Bank of Ukraine. (Article 52 supplemented by part seven by the Law N 3163-IV ( [3163-15](#) ) of 01.12.2005)

**Article 53.** Guarantees of non-interference

Not allowed interference by the legislative and executive authorities and their officials in the performance of the functions and powers of the National Bank or the National Bank except in the limits defined by this Law.

**Article 54.** Lending State

National Bank shall be prohibited to provide direct loans to both national and foreign currency to finance expenditures of the State Budget of Ukraine.

## **Chapter X**

### **BANKING REGULATION AND SUPERVISION OF BANKING**

**Article 55.** Objective and scope of banking supervision

The main purpose of banking regulation and supervision - safety and financial stability of the banking system, protect the interests of depositors and creditors.

National Bank carries out the functions of banking regulation and supervision of banks within and manner prescribed by the legislation of Ukraine.

National Bank has constant supervision of compliance by banks, their units, affiliates and related entities of banks in Ukraine and abroad, banking associations, representative offices and branches of foreign banks in Ukraine, as well as other legal and natural persons of banking legislation, regulatory acts of the National Bank and prudential regulations. National Bank does not

exercise checks and audits of financial-economic activity of persons referred to in this article.

(Art. 55 of the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

**Article 56.** Normative legal acts of the National Bank

The National Bank shall issue regulations on matters within its powers, which are mandatory for government and local authorities, banks, businesses, organizations and institutions, regardless of ownership, as well as for individuals.

Normative legal acts of the National Bank issued in the form of resolutions of the Board of the National Bank, as well as instructions, regulations, rules, approved by the Resolution of the Board of the National Bank. They can not contradict the laws of Ukraine and other legislative acts of Ukraine and are not retroactive, except where by law they mitigate or annul the responsibility.

Normative legal acts of the National Bank shall be subject to compulsory state registration with the Ministry of Justice of Ukraine and shall enter into force in accordance with the laws of Ukraine.

Normative legal acts of the National Bank may be appealed in accordance with the laws of Ukraine.

**Article 57.** Access to information

To carry out its functions, the National Bank shall be entitled to receive free of charge from banks, banking associations and entities licensed by the National Bank to conduct certain banking operations, as well as from those in respect of which the National Bank carries out supervisory activities in accordance with the Law of Ukraine "On Banks and Banking Activity " ( [2121-14](#) ), and information about their activities and an explanation of the information received and executed transactions.

(Chastyyna Article 57 changed and amended according to Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

To prepare the banking and financial statistics, analysis of the economic situation, the National Bank shall be entitled free of charge to obtain the necessary information from the public authorities and local governments, and businesses of all forms of ownership.

(Article 57 as amended pursuant to the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

This information will not be disclosed except in cases envisaged by the legislation of Ukraine.

**Article 58.** economic standards

In order to protect the interests of depositors and creditors and ensure the financial soundness of banks, the National Bank in accordance with regards to the following sets are required economic standards. These standards should ensure the control of risks associated with capital, liquidity, credit, investment capital as well as interest rate and currency risk.

(Article 58 as amended pursuant to the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)



On further changes in the standards and methods of calculating National Bank officially announced not later than one month prior to putting them into action.

**Article 59.** Provisions to ensure risks

National Bank determines the size, formation and use of bank reserves to cover possible losses on loans, provisions for foreign exchange, interest rate and other risks of banks.

(Article 59 as amended pursuant to the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

Reserves to cover possible financial risks as well as the deposit insurance fund shall be established by income before income taxes in accordance with the laws of Ukraine.

(Article 60 excluded on the basis of the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

**Article 61.** authority to exercise regulatory functions

National Bank of the State Regulation of activity of banks in the form determined by the Law of Ukraine "On Banks and Banking Activity " ( [2121-14](#) ), both directly and through which he had founded the banking supervisor.

(Article 61 of the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

(Article 62 repealed by Law N 2121-III ( [2121-14](#) ) of 07.12.2000)

**Article 63.** Restrictions requirements of the National Bank

National Bank has no right to require banks to perform operations and other activities not covered by the laws of Ukraine and regulations of the National Bank.

**Section XI**

Employees of the National Bank

**Article 64.** status of the National Bank

{Establish in 2007, working pensioners, which are subject to this Act, is intended to early old-age (subject to subparagraph "d" of paragraph 1 of Article 26 of the Law of Ukraine "On Employment" ( [803-12](#) ), paragraph "c" part of Article 12 of the Law of Ukraine "On General Principles of further exploitation and decommissioning of Chernobyl NPP and transformation of the destroyed fourth power of the nuclear power plant in an environmentally safe system " ( [309-14](#) ) and Article 21 of the Law of Ukraine ( [3721-12](#) ) "On the Fundamentals of Social protection of labor veterans and other elderly people in Ukraine ") in the period before retirement age set by law for the relevant category of persons is not paid in accordance with the Law N 489-V ( [489-16](#) ) of 19.12.2006; For more information see. The decision of the Constitutional Court N 6-rp/2007 ( [v0a6p710-07](#) ) on 09.07.2007} {establish that in 2007 the old-age pension under this Act is assigned only when you reach retirement age, under Article 26 of the Law of Ukraine "On Mandatory State Pension Insurance " ( [1058-15](#) ) in accordance with the Law N 489-V ( [489-16](#) ) of 19.12.2006} {establish that from 1 January 2007 the maximum pension

or monthly lifetime allowance (including bonuses, promotions, supplementary pensions, targeted cash benefits and pensions for special services to the Ukraine and other supplements to pensions, the legislation) intended (listed) in 2006-2007 under this Act may not exceed 12 times the minimum old-age pension established by paragraph first part of Article 28 of the Law of Ukraine "On Mandatory State Pension Insurance" ( [1058-15](#) ), and in other categories of pensioners pension or monthly lifetime allowance (including bonuses, promotions, supplementary pensions, targeted cash benefits and pensions for special services to Ukraine and other supplements to pensions, the legislation) intended (restated) in 2007, the year can not exceed 10 thousand per month in accordance with the Law N 489-V ( [489-16](#) ) of 19.12.2006}

(Set the size pensions (including bonuses, promotions, supplementary pensions, targeted cash benefits and pensions for special services to the Ukraine and other supplements to pensions, the legislation), designed in 2006, according to this Act shall not exceed 12 times the minimum pension at age established the first paragraph of Article 28 of the Law of Ukraine "On Mandatory State Pension Insurance" ( [1058-15](#) ), according to the Law N 3235-IV ( [3235-15](#) ) of 20.12.2005)

(To establish that early in 2006 granted pension age subject to subparagraph "d" of paragraph 1 of Article 26 of the Law of Ukraine "On Employment" ( [803-12](#) ) prior to reaching retirement age set by law for the relevant category of persons working pensioners covered by this Law shall not be paid pursuant to the Law N 3235-IV ( [3235-15](#) ) of 20.12.2005)

Terms hiring, firing, pay, vacations, duties and rights, the system of disciplinary sanctions, social protection of employees of the National Bank by the Law of Ukraine "On Civil Service" ( [3723-12](#) ).

NBU employees are employees and service personnel of the National Bank. Servants are persons who are directly involved in carrying out the functions of the National Bank and hold office as provided for staff.

Board of the National Bank shall enumerate the positions of employees, labor contract which is concluded in the form of a contract. (Article 64 the third paragraph is supplemented in accordance with the Law N 1919-III ( [1919-14](#) ) of 13.07.2000)

Employees of the National Bank of civil servants, and are subject to the rules of the Law of Ukraine "On Civil Service", if the law provides otherwise.

Question functioning civil service in the National Bank and decides the classification of the National Bank of Ukraine in accordance with the law.

The ranks of civil servants of the National Bank  
the first category positions are assigned by the President of  
Ukraine. Other ranks are assigned by the Chairman of the National Bank.  
The structure of the service staff of the National Bank  
includes employees whose duties are not directly related to the  
performance of the functions of the National Bank.  
Wage employees of the National Bank  
Board of the National Bank established under  
the Law of Ukraine "On Civil Service".  
Wage attendants National  
Bank Board of the National Bank established pursuant to  
legislation on wages.

**Article 65.** Prohibited activities

Governor of the National Bank, his deputies, members of the Board of  
the National Bank and other employees of the National Bank in accordance  
with a list of positions approved by the Board of the National Bank  
may not be the people's deputies of Ukraine, members of the Government  
of Ukraine to do business, to do work  
part-time, in addition to teaching, research and other creative  
activities.

Employees of the National Bank shall be prohibited to enter the  
governing bodies and be shareholders.

*(Article 65 as amended pursuant to the Law  
N 2922-III ( [2922-14](#) ) of 10.01.2002)*

National Bank Chairman, Deputy Chairman, members of the  
Board of the National Bank and other officials of the National  
Bank shall be prohibited from receiving loans from any other  
credit institutions, with the exception of the National Bank.

**Article 66.** secrecy

Employees of the National Bank shall be prohibited to disclose  
information constituting state secrets, banking secrets  
or other confidential information that has become known to them in connection  
with  
their official duties, and in the case of work stoppage in  
the National Bank, except in cases provided by the legislation  
of Ukraine.

*(Article 66 as amended by Law N 2922-III  
( [2922-14](#) ) of 10.01.2002)*

**Chapter XII**

The banking STATISTICS STATISTICS AND  
BALANCE OF PAYMENTS

**Article 67.** Determining accountability

National Bank in order to fulfill regulatory and  
supervisory functions determines the form of statements (including  
consolidated), the procedure of preparation and submission to the National  
Bank, which are binding on all subjects  
of management, including: (first indent of the first paragraph  
Article 67 was amended by the Law N 2922-III

*( [2922-14](#) ) of 10.01.2002)*

1) banks located in Ukraine (residents  
and nonresidents), bank unions - for compilation  
of monetary and banking statistics; (Article 1 of the

first paragraph of Article 67 as amended by the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

2) all business entities (residents and nonresidents) - for compiling balance of payments statistics and the implementation of exchange controls. (Paragraph 2 of Article 67 , as amended by the Law N 2922-III ( [2922-14](#) ) of 10.01.2002)

To banks and other subjects of entrepreneurial activity information not subject to disclosure, except as provided for by the legislation of Ukraine.

The requirements of this article do not apply to summary statistical information to be published by the National Open bank.

#### **Article 68. Publications**

In order to ensure transparency of banking activities and balance of payments statistics, the National Bank:

- 1) published in the print of the Supreme Rada of Ukraine and the Cabinet of Ministers of Ukraine annual and quarterly balance sheets of the National Bank;
- 2) publishes a monthly statistical bulletin and journal "Bulletin of the National Bank of Ukraine ";
- 3) published in the official publications of the current banking information, information on monetary and banking statistics, which do not belong to the public and banking secrecy;
- 4) provides for the publication of information on monetary and banking statistics and statistics of the balance of payments in accordance with international agreements.

Composition information for publication in the mass media is determined by the State Statistics Committee of Ukraine in accordance with the laws of Ukraine.

The owner of the summary information on monetary and banking is the National Bank, which sets the mode of access to it in accordance with the laws of Ukraine. The use of formal banking information other bodies for a wide publishing only with the permission of the National Bank or with reference to the source of its official publication.

#### **Chapter XIII**

##### **NATIONAL BANK AUDIT**

#### **Article 69. internal audit**

National Bank supervises the activities of its business units through internal audit, which is performed Revision Office of the National Bank, directly subordinate to the President of the National Bank. Comprehensive inspections economic and financial activities of the structural units of the National Bank held at least once a year.

#### **Article 70. External Audit**

Council of the National Bank not later than 1 November of the year makes a decision on audit of the National Bank and determines the auditor that has relevant experience to check the annual report and audit report submission. NBU is obliged under the agreement concluded with the

accounting firm providing accounting and contract information necessary for the audit.

As part of the State Budget of Ukraine, the analysis estimates the financial performance check of the National Bank has the Accounting Chamber.

#### **Chapter XIV**

##### **SPECIAL PROVISIONS**

#### **Article 71. Restrictions on activities**

National Bank shall be prohibited:

- 1) be a shareholder or member banks and other businesses, institutions;
  - 2) to carry out real estate activities other than those related to the functioning of the National Bank and its institutions;
  - 3) carry trade, manufacturing, insurance and other activities that are not the responsibilities of the National Bank.
- Restrictions set by the first paragraph of this Article shall not apply to:

- 1) acquisition to cover the debt of the National Bank of any rights and assets subject to their exclusion in the shortest possible time;
- 2) in cases provided for in Article 42 of this Law;
- 3) participation in the capital of other companies, institutions that provide activities of the National Bank.

#### **Article 72. Tax regime**

The National Bank shall pay taxes according to the laws of Ukraine on taxation.

#### **Article 73. overwhelming and unconditional right**

National Bank is overwhelming and unconditional right to meet any refinancing carried out based on the bank's request, issued in accordance with the law under which it matures.

*(Article 73 as amended pursuant to the Law*

*N 2922-III ( [2922-14](#) ) of 10.01.2002)*

Priority and freehold done if it

an agreement is implemented by the National Bank by writing off debt on an uncontested basis of bank accounts and the sale of other assets that are pledged to meet the requirements of the National Bank, and meet the requirements for due to net proceeds of their sale .

*(Law amended Article 73 in accordance with the Law N 1919-III*

*( [1919-14](#) ) of 13.07.2000)*

#### **Chapter XV**

##### **MISCELLANEOUS**

1. This Act shall take effect from the date of publication, with the exception of parts of the ninth and tenth of Article 10 of this Law, which

shall take effect from the date of formation of the National Bank of Ukraine as a whole by the President of Ukraine and the Verkhovna Rada of Ukraine. (Clause 1 as amended by the Law

*N 1658-III ( [1658-14](#) ) of 20.04.2000)*

2. Council of the National Bank shall be established within two months from the date of enactment of this Act. At the time of formation of

the National Bank of its functions in relation to monetary policy takes the National Bank.

3. Consider null and void:

Sections II and V of the Law of Ukraine "On Banks and Banking Activity "( [872-12](#) ) (Supreme Council of Ukraine, 1991, N 25, st.281);

Resolution of the Presidium of the Supreme Soviet of Ukraine "On Statute of the National Bank of Ukraine "( [1605-12](#) ) of 7 October 1991.

President of Ukraine Leonid Kuchma  
Kyiv, May 20, 1999  
N 679-XIV