

CABINET OF MINISTERS OF UKRAINE

RESOLUTION

dated June 23, 2021 No. 647

Kyiv

On approval of Procedure for Cooperation of the Authorized Institution with Applicants, Investors with Significant Investments, State Bodies and Local Authorities on Issues Related to Support of Preparation and Implementation of Investment Projects with Significant Investments

In accordance with subparagraph 2 of paragraph 3 of Article 6 of the Law of Ukraine “On State Support for Investment Projects with Significant Investments in Ukraine” the Cabinet of Ministers of Ukraine **decrees:**

To approve Procedure for Cooperation of the Authorized Institution with Applicants, Investors with Significant Investments, State Bodies and Local Authorities on Issues Related to Support of Preparation and Implementation of Investment Projects with Significant Investments which is attached.

Prime Minister of Ukraine

D. SHMYHAL

APPROVED
by the resolution of the Cabinet of Ministers of Ukraine
dated June 23, 2021 No. 647

PROCEDURE
for Cooperation of the Authorized Institution with Applicants, Investors with Significant Investments, State Bodies and Local Authorities on Issues Related to Support of Preparation and Implementation of Investment Projects with Significant Investments
General terms

1. This Procedure defines the mechanism of cooperation of the authorized institution with applicants, investors with significant investments, state bodies, and local authorities on issues related to support of preparation and implementation of investment projects with significant investments, in accordance with the Law of Ukraine “On State Support for Investment Projects with Significant Investments in Ukraine”.

2. In this Procedure, the terms are used in the meaning given in the Law of Ukraine “On State Support for Investment Projects with Significant Investments in Ukraine”.

3. The authorized institution cooperates with applicants, investors with significant investments, state bodies, and local authorities on issues related to support of preparation and implementation of investment projects with significant investments, within and in accordance with the information provided by applicants, investors with significant investments, as well as on the basis of principles of legality, ensuring compliance with the rights and legitimate interests of applicants, investors with significant investments, non-discrimination, openness, transparency, and free of charge.

4. The authorized institution and applicants, investors with significant investments may sign a memorandum of cooperation on providing organizational, informational, and advisory assistance on preparation and implementation of investment projects with significant investments.

5. The authorized institution and applicants, investors with significant investments may enter into an agreement on non-disclosure of confidential information on preparation and implementation of an investment project with significant investments.

Cooperation of the authorized institution with state bodies and local authorities

6. Ministry of Foreign Affairs shall:

1) in case of receiving from foreign diplomatic missions of Ukraine information on potential applicants who are interested in the implementation of investment projects with significant investments, notify the authorized institution of such information;

2) at the request of the authorized institution provide assistance in holding events to attract potential applicants for implementation of investment projects with significant investments;

3) at the request of the authorized institution submit information necessary for the authorized institution to perform functions related to the preparation of investment projects with significant investments entrusted to the authorized institution by the Law of Ukraine “On State Support for Investment Projects with Significant Investments in Ukraine” and constituent documents.

Unofficial Translation

7. Council of Ministers of the Autonomous Republic of Crimea, regional state administrations, Kyiv and Sevastopol city state administrations shall:

1) submit every six months, as well as at the request of the authorized institution information about potential applicants who are interested in the implementation of investment projects with significant investments;

2) submit every six months, as well as at the request of the authorized institution information on state-owned land plots that can be transferred into ownership or provided for use (lease) in accordance with Article 122 of the Land Code of Ukraine for implementation of investment projects with significant investments;

3) at the request of the authorized institution provide assistance in carrying out events to attract potential applicants for implementation of investment projects with significant investments;

4) at the request of the authorized institution submit information necessary for the authorized institution to perform functions related to the preparation of investment projects with significant investments, entrusted to the authorized institution by the Law of Ukraine “On State Support for Investment Projects with Significant Investments in Ukraine” and constituent documents.

8. The authorized institution shall apply to the local authority regarding the submission of information on:

1) potential applicants who are interested in the implementation of investment projects with significant investments, in case of receipt of relevant appeals to local authorities;

2) land plots of communal property that can be transferred to ownership or provided for use (lease) in accordance with Article 122 of the Land Code of Ukraine for the implementation of investment projects with significant investments;

3) the possibility of defining land tax rates and rents for land plots, the normative monetary valuation of which is completed, which can be used to implement investment projects with significant investments, in an amount less than established by the decision of the relevant local government for a certain category of land, paid in the relevant territory, as well as the possibility of exemption from land tax of potential applicants, investors with significant investments;

4) the possibility of transfer for use (lease) of the relevant land plots of communal property, defined by a special investment agreement for the implementation of an investment project with significant investments;

5) obtaining information that is necessary for the development of feasibility study of an investment project with significant investments (initial data for design, land tax rates, the amount of the normative monetary valuation of land, technical conditions for connection to heat, gas, water and electricity supply, utilities, which belong to the right of economic management of communal property entities, etc.);

6) the possibility of providing at the expense of the relevant budgets of local governments the construction of related infrastructure (highways, communication lines, heat, gas, water and electricity, utilities, etc.), necessary for the implementation of the investment project with significant investments.

9. The authorized institution shall also:

Unofficial Translation

1) submit to the authorized body periodic (quarterly and annual) and operational (at the request of the authorized body) reports on the status of support of investment projects with significant investments in a timely manner and in the form approved by the authorized body;

2) develop proposals, recommendations, action plans aimed at improving the process of preparation of investment projects with significant investments;

3) organize training and information events on the preparation of investment projects with significant investments for public authorities, local governments, their officials;

4) provide answers to the requests of the authorized body to obtain additional information and/or documents necessary for the evaluation of the investment project with significant investments;

5) appeal to public authorities, local governments to provide information necessary for the authorized institution to perform functions related to the preparation of investment projects with significant investments, entrusted to the authorized institution by the Law of Ukraine “On State Support for Investment Projects with Significant Investments in Ukraine” and constituent documents, in the manner prescribed by law;

6) carry out other measures in accordance with the Law of Ukraine “On State Support for Investment Projects with Significant Investments in Ukraine” and constituent documents.

Interaction of the authorized institution with applicants, investors with significant investments

10. Authorized institution shall:

1) inform potential applicants about the possibilities of preparation and implementation of investment projects with significant investments;

2) provide potential applicants, investors with significant investments with organizational and informational, and advisory assistance on the preparation of investment projects with significant investments, in particular on the preparation and submission of applications, other documents necessary for the implementation of investment projects with significant investments, free of charge;

3) provide, at the request of applicants, investors with significant investments, advisory assistance on:

preliminary verification of the potential compliance of the investment project with the requirements of the Law of Ukraine “On State Support for Investment Projects with Significant Investments in Ukraine”;

search for potential investment objects, land plots of state or communal property, formed by state executive authorities or local authorities, which can be used for implementation of investment projects with significant investments;

opportunities to provide for use (lease) the relevant land plots of state or communal property, defined by a special investment agreement for the implementation of an investment project with significant investments;

Unofficial Translation

the possibility of providing at the expense of state and local budgets and other sources not prohibited by law, the construction of related infrastructure (roads, communication lines, heat, gas, water and electricity, utilities, etc.), necessary to implement an investment project with significant investments;

4) ensure the organization and holding of meetings with the participation, in particular, of officials of state and local authorities, applicants, investors with significant investments, representatives of international organizations, foreign states;

5) at the request of the applicant provides organizational, informational, and advisory assistance to the applicant in the process of finalizing a draft special investment agreement, taking into account the comments of the authorized body.

11. The authorized institution provides applicants, investors with significant investments with organizational and informational, and advisory assistance on the implementation of investment projects with significant investments and applies with this aim to state and local authorities.

12. In order to assist in resolving issues that may arise for applicants, investors with significant investments in the implementation of investment projects with significant investments and the implementation of special investment agreements, the authorized institution shall apply to public and local authorities to provide other information necessary to the authorized institution to perform functions related to the support of the implementation of investment projects with significant investments, entrusted to the authorized institution by the Law of Ukraine “On State Support for Investment Projects with Significant Investments in Ukraine” and constituent documents.

13. Officials of state and local authorities, applicants, investors with significant investments participate in joint meetings, workshops, other events held at the initiative of the authorized institution, in order to find solutions to address issues that may arise for applicants, investors with significant investments in the process of implementation of investment projects with significant investments and execution of special investment agreements.