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| **THE CABINET OF MINISTERS OF UKRAINERESOLUTION** |
| **No. 159 dated March 31, 2015Kyiv** |

**On Approving the Regulation on the State Service for Export Control of Ukraine**

{As amended by Resolutions of the Cabinet of Ministers
[No. 372 dated May 16, 2018](https://zakon.rada.gov.ua/laws/show/372-2018-%D0%BF#n2)
[No. 838 dated September 11, 2019](https://zakon.rada.gov.ua/laws/show/838-2019-%D0%BF#n641)
[No. 1030 dated October 28, 2020](https://zakon.rada.gov.ua/laws/show/1030-2020-%D0%BF#n43)
[No. 547 dated May 31, 2021](https://zakon.rada.gov.ua/laws/show/547-2021-%D0%BF#n26)}

The Cabinet of Ministers of Ukraine **hereby resolves as follows**:

1. To approve [the Regulation on the State Service for Export Control of Ukraine](https://zakon.rada.gov.ua/laws/show/159-2015-%D0%BF#n9) attached hereto.

2. To invalidate [Resolution No. 1386 of the Cabinet of Ministers of Ukraine dated July 29, 1999](https://zakon.rada.gov.ua/laws/show/1386-99-%D0%BF) "On the Board of the State Service for Export Control of Ukraine".

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| **Prime Minister of Ukraine** | **A. YATSENIUK** |
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|  | **APPROVED****by Resolution No. 159 of the Cabinet of Ministers of Ukraine dated March 31, 2015** |

**REGULATION**
**on the State Service for Export Control of Ukraine**

*{In the text of the Regulation the words "Minister of Economic Development and Trade" in all cases were replaced with the words "First Vice Prime Minister – Minister of Economic Development and Trade" in the respective case according to Resolution of the Cabinet of Ministers* [*No. 372 dated May 16, 2018*](https://zakon.rada.gov.ua/laws/show/372-2018-%D0%BF#n20)*}*

*{In the text of the Regulation the words "Minister of Economic Development and Trade" in all cases were replaced with the words "First Vice Prime Minister – Minister of Economic Development and Trade in the respective case according to Resolution of the Cabinet of Ministers* [*No. 838 dated September 11, 2019*](https://zakon.rada.gov.ua/laws/show/838-2019-%D0%BF#n641)*}*

*{In the text of the Regulation the words "Minister of Economic Development, Trade, and Agriculture" in all cases were replaced with the words "First Vice Prime Minister – Minister of Economy" in the respective case, and the words "Ministry of Economic Development" were replaced with the words "Ministry of Economy" according to Resolution of the Cabinet of Ministers* [*No. 547 dated May 31, 2021*](https://zakon.rada.gov.ua/laws/show/547-2021-%D0%BF#n26)*}*

1. The State Service for Export Control of Ukraine is a central executive authority whose activities are guided and coordinated by the Cabinet of Ministers of Ukraine via the First Vice Prime Minister of Ukraine – Minister of Economy, and which implements the government policy in the field of state export control.

2. The State Service for Export Control shall be guided in its activities by the [Constitution](https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80) and laws of Ukraine, decrees of the President of Ukraine and resolutions of the Verkhovna Rada of Ukraine adopted in pursuance of the Constitution and laws of Ukraine, acts of the Cabinet of Ministers of Ukraine, and other legislative acts.

3. The main objectives of the State Service for Export Control are:

1) To implement the government policy in the field of state control over international transfers of military goods, dual-use goods, and other goods that may be subject to state export control procedures pursuant to the [Law of Ukraine](https://zakon.rada.gov.ua/laws/show/549-15) "On State Control over the International Transfers of Military Goods and Dual-Use Goods“ ("goods"), as well as to submit proposals for its formation to the First Vice Prime Minister of Ukraine – Minister of Economy;

2) To protect national interests and to enhance the international standing of Ukraine in the course of state control over the international transfers of goods by ensuring the fulfillment of international commitments of Ukraine on the non-proliferation of weapons of mass destruction, delivery vehicles, and restrictions on the transfers of ordinary armament to avoid their use for terroristic and other illegal purposes;

3) To render administrative services in the field of state export control in the cases established by law.

4. Based on its objectives, the State Service for Export Control shall:

1) Generalize the law enforcement practice on the issues falling within the competence of the Service, develop proposals to improve legislative acts, acts of the President of Ukraine, the Cabinet of Ministers of Ukraine, regulatory legal acts of the ministries, and shall submit them to the First Vice Prime Minister of Ukraine – Minister of Economy in accordance with the established procedure

2) Register participants of international transfers of goods and issue relevant registration certificates

3) Issue permits (conclusions) to conduct international transfers of goods (export/import, temporary brining in/out, transit), and control the submission of reports on the export and import of goods actually conducted by the participants of international transfers of goods

4) Issue conclusions to carry on negotiations on concluding foreign trade agreements (contracts) for the export of goods, and control the submission of reports on the results of negotiations by the participants of international transfers of goods

5) Issue international import certificates or other documents containing state guarantees for the use of goods for declared purposes

6) Assess corporate export control systems created by the participants of international transfers of goods, and issue certificates of their assessment

7) Authorize legal entities to conduct preliminary identification of goods in the field of state export control, and issue relevant certificates

8) Keep records of the participant of foreign trade authorized to export, import military goods and goods containing state secrets, issue those participants the documents attesting their authority and control how they exercise their authority, and prepare proposals on the cancellation of such authority in accordance with the established procedure

9) Carry out expert review in the field of state export control to decide on the possibility to issue permits, conclusions, or international import certificates, as well as on the possibility to register business entities and public procurement authorities in the field of defense with the State Service for Export Control as participants of international transfers of goods, or to authorize such participants to export, import military goods and goods containing state secrets

*{Subclause 9 of Clause 4 amended pursuant to Resolution of the Cabinet of Ministers*[*No. 1030 dated October 28, 2020*](https://zakon.rada.gov.ua/laws/show/1030-2020-%D0%BF#n43)*}*

10) Control payment of a fee for the execution and issuance of documents on the registration of participants of international transfers of goods, issuance of permits, conclusions, and international import certificates

11) Check that the documents on the basis whereof the international transfer of goods, delivery of goods to end users, and final use of goods for declared purposes have been performed comply with the laws

12) Conduct investigations in the cases stipulated by laws in connection with the breach by the participants of international transfers of goods of the legislative requirements in the field of state export control, and bring such participants to liability following those investigations within the limits established by law

13) Maintain international cooperation with the relevant bodies of foreign states in the field of export control, non-proliferation of weapons of mass destruction and delivery vehicles, and restrictions on the transfers of ordinary armament

14) Participate in the work of:

international organizations and bodies of the international export control regimes Ukraine is party of;

inter-government committees for military technical cooperation

15) Take measures to implement decisions of the UN Security Council to establish (cancel) embargo on the export of goods

16) Participate in the implementation of export control measures provided for by the  [Treaty on the Non-Proliferation of Nuclear Weapons](https://zakon.rada.gov.ua/laws/show/995_098), [Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction](https://zakon.rada.gov.ua/laws/show/995_182), [Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction](https://zakon.rada.gov.ua/laws/show/995_054), and other international commitments

17) Exchange information in the field of export control with the relevant bodies of foreign states and international organizations in accordance with the established procedure

18) Attract technical, financial, and other forms of aid from foreign states and international organizations to improve the national system of state export control

19) Prepare proposals pursuant to the laws to conclude and denounce international treaties of Ukraine, conclude inter-agency international treaties of Ukraine within its powers and ensure the fulfillment of obligations of Ukraine under international treaties

20) Inform the Verkhovna Rada of Ukraine on an annual basis about the volumes of international transfers of certain categories of armament as per form used to report such information to the UN and OSCE, as well as about the total export of military goods by Ukraine

21) Provide the Ministry of Foreign Affairs and other government agencies, in the cases stipulated by law and other regulatory legal acts, with information on the export and import of certain categories of goods in order to inform international organizations pursuant to the international commitments of Ukraine

22) Study requests of individuals on the issues associated with the activities of the State Service for Export Control, and interact with the mass media and the public

23) Maintain operation of the automated state export control system

24) Exercise other powers stipulated by law.

5. To organize its activities, the State Service for Export Control shall:

1) Implement anti-corruption measures within its powers established by law, and monitor their implementation in the administrative office of the State Service for Export Control

2) Monitor the proper and efficient use of public funds allocated for the implementation of projects and programs, within the frames of powers stipulated by law and together with the central executive authorities

3) Hire staff to the relevant positions in the administrative office of the State Service for Export Control, and organize training, re-training, and professional development of civil servants and employees of the administrative office of the State Service for Export Control

*{Subclause 3 of Clause 5 amended pursuant to Resolution of the Cabinet of Ministers*[*No. 372 dated May 16, 2018*](https://zakon.rada.gov.ua/laws/show/372-2018-%D0%BF#n9)*}*

4) Organize planning financial work in the administrative office of the State Service for Export Control, monitor the utilization of financial and material resources, and organize and improve accounting

5) Implement the government policy for the state secret within its powers established by law, and monitor the state secret protection in the administrative office of the State Service for Export Control

6) Perform mobilization and ensure the mobilization preparedness of the state within its powers established by law

7) Organize the record-keeping and archiving of documents pursuant to the established rules.

6. In order to perform its tasks, the State Service for Export Control shall have the right to:

1) Engage in the state export control activities in accordance with the established procedure other central executive authorities, missions of Ukraine abroad, and legal entities whose activities are not directly associated with state export control, subject to the consent of their heads

2) Involve representatives of designated central executive authorities, enterprises, research institutions and organizations, as well as their associations, including on a contractual basis, in compiling lists of military and dual-use goods, processing documents distributed by contact points of international export control regimes

3) Receive from government agencies and local authorities, enterprises, institutions, organizations, irrespective of their form of ownership, their officials, as well as citizens and non-government associations, free of charge, information, documents and materials required to perform tasks and functions assigned to the Service

4) Represent the Cabinet of Ministers of Ukraine under orders of the Government in the international organizations and during the conclusion of international treaties in the field of export control, non-proliferation of weapons of mass destruction and delivery vehicles, and restrictions on the transfers of ordinary armament

5) Convene meetings, set up committees and task forces, hold research conferences and seminars on the issues falling within the competence of the State Service for Export Control

6) Use relevant information databases of government agencies and local authorities, the state government communication system, and other technical facilities.

7. The State Service for Export Control, while performing tasks assigned to it, shall interact in a prescribed manner with other government agencies, subsidiary bodies and services set up by the President of Ukraine, temporary consultative, advisory, and other subsidiary bodies created by the Cabinet of Ministers of Ukraine, local authorities, relevant bodies of foreign states and international organizations, non-government organizations, trade unions and organizations of employers, as well as enterprises, institutions, and organizations.

8. The State Service for Export Control, within the scope of powers stipulated by law, and on the basis and in furtherance of the [Constitution](https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80) and laws of Ukraine, acts of the President of Ukraine and resolutions of the Verkhovna Rada of Ukraine adopted pursuant to the Constitution and laws of Ukraine, acts of the Cabinet of Ministers of Ukraine, and orders of the Ministry of Economy, shall issue executive orders and organize and monitor their fulfillment.

9. The State Service for Export Control shall be chaired by the Head appointed and dismissed by the Cabinet of Ministers of Ukraine upon recommendation of the Commission on the Higher Corps of Civil Service.

The Commission on the Higher Corps of Civil Service shall propose candidates for appointment to the position of the Head of the State Service for Export Control to the Cabinet of Ministers of Ukraine based on the results of the competitive selection according to the civil service laws.

*{Clause 9 as amended by Resolution of the Cabinet of Ministers*[*No. 372 dated May 16, 2018*](https://zakon.rada.gov.ua/laws/show/372-2018-%D0%BF#n10)*}*

10. The head of the State Service for Export Control shall:

1) Chair the State Service for Export Control, guide its activities, represent the State Service for Export Control in the relations with other bodies, enterprises, institutions, organizations in and outside Ukraine

2) Introduce proposals to the First Vice Prime Minister of Ukraine – Minister of Economy for the formation of the government policy in the field of state export control, in particular, draft laws, acts of the President of Ukraine and the Cabinet of Ministers of Ukraine, orders of the Ministry of Economy developed by the State Service for Export Control, as well as its opinion on the draft laws developed by other ministries

3) Organize and control the implementation of requirements of the [Constitution](https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80) and laws of Ukraine, acts of the President of Ukraine and the Cabinet of Ministers of Ukraine and orders of the ministries

4) Submit work plans of the State Service for Export Control to the First Vice Prime Minister of Ukraine – Minister of Economy for approval

5) Report to the First Vice Prime Minister of Ukraine – Minister of Economy on the implementation of work plans of the State Service for Export Control and tasks assigned to it, on the elimination of violations and defects revealed during the audits of the State Service for Export Control, as well as on bringing to liability officers guilty of violations

6) Maintain interaction between the State Service for Export Control and the structural division of the administrative office of the Ministry of Economy determined by the First Vice Prime Minister of Ukraine – Minister of Economy

7) Comply with the procedure established by the First Vice Prime Minister of Ukraine – Minister of Economy for the exchange of information between the Ministry of Economy and the State Service for Export Control and ensure its timely presentation

*{Paragraph 8 of Clause 10 deleted pursuant to Resolution of the Cabinet of Ministers*[*No. 372 dated May 16, 2018*](https://zakon.rada.gov.ua/laws/show/372-2018-%D0%BF#n14)*}*

9) Allocate responsibilities between his/her deputies

10) Fulfill orders and assignments of the First Vice Prime Minister of Ukraine – Minister of Economy on the issues falling within the area of activity of the State Service for Export Control

11) Approve regulations on independent structural divisions of the administrative office of the State Service for Export Control

12) Appoint and dismiss heads and deputy heads of independent structural divisions of the administrative office of the State Service for Export Control and other civil servants of the administrative office of the State Service for Export Control in accordance with the procedure established by law

*{Subclause 12 of Clause 10 as amended by Resolution of the Cabinet of Ministers*[*No. 372 dated May 16, 2018*](https://zakon.rada.gov.ua/laws/show/372-2018-%D0%BF#n15)*}*

13) Employ and dismiss employees of the administrative office of the State Service for Export Control in accordance with the procedure established by the employment laws

14) Give binding instructions to the civil servants and employees of the administrative office of the State Service for Export Control

15) Resolve in accordance with the established procedure the issues of inciting and bringing to disciplinary liability civil servants and employees of the administrative office of the State Service for Export Control, assign them civil servant ranks

16) Recommend civil servants and employees of the administrative office of the State Service for Export Control for state awards in accordance with the procedure established by law

17) Exercise other powers stipulated by law.

11. The head of the State Service for Export Control shall have two deputies, including one first deputy, who are appointed by the Cabinet of Ministers of Ukraine upon recommendations of the Commission on the Highest Corps of Civil Service following the competitive selection under the civil service laws.

Deputy Heads of the State Service for Export Control shall be dismissed by the Cabinet of Ministers of Ukraine on the basis of proposals of the Commission on the Higher Corps of Civil Service pursuant to the civil service laws.

*{Clause 11 as amended by Resolution of the Cabinet of Ministers*[*No. 372 dated May 16, 2018*](https://zakon.rada.gov.ua/laws/show/372-2018-%D0%BF#n17)*}*

12. The board may be set up in the State Service for Export Control for the coordinated resolution of the issues falling within the competence of the State Service for Export Control and discussion of the key areas of its activities.

Decisions of the board may be implemented by virtue of an order of the State Service for Export Control.

The State Service for Export Control may set up permanent or temporary consultative, advisory, and other subsidiary bodies to consider research recommendations and to hold consultations on the main issues of its activities.

The Head of the State Service for Export Control shall take decisions on the setup or liquidation of the board, permanent or temporary consultative, advisory, and other subsidiary bodies. The size and members of the board, permanent and temporary consultative, advisory, and other subsidiary bodies, and the regulations on them shall be approved by the Head of the State Service for Export Control.

13. The Cabinet of Ministers of Ukraine shall approve the maximum number of civil servants and employees of the State Service for Export Control.

The structure of the administrative office of the State Service for Export Control shall be approved by the Head of the Service by agreement with the First Vice Prime Minister of Ukraine – Minister of Economy.

The staff list and the cost estimate of the administrative office of the State Service for Export Control shall be approved by the Head of the Service by agreement with the Ministry of Finance.

14. The State Service for Export Control is a public legal entity, has its seal with an image of the State Emblem of Ukraine and its name, its own letterhead forms and accounts with the Treasury bodies.