

COMPARATIVE TABLE

to the draft Law "On Amendments to Certain Laws of Ukraine on Ensuring Housing Rights of Internally Displaced Persons", registration No. 11281, adopted in the first reading on July 17, 2024.

<i>Version of Draft No. 11281 Adopted in the First Reading</i>	<i>Version Proposed by the Commission for Adoption as a Whole</i>
Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons"	
<p>Article 4². Information Database of Real Estate Objects for the Accommodation of Internally Displaced Persons</p> <p>Information Database of Real Estate Objects for the Accommodation of Internally Displaced Persons (hereinafter referred to as the "Information Database") is an information and communication system that provides for the collection, accumulation, protection, registration, display, processing, and provision of information about objects of state, communal, and, at the discretion of the owner, private ownership, including land plots, residential buildings, structures, buildings (or their separate parts), apartments, residential and non-residential premises, and other real estate objects used or that can be used for the accommodation of internally displaced persons.</p> <p>The data of the Information Database is published on the official website of the holder of the Information Database (except for information with restricted access), in the form of a publicly accessible interactive map.</p> <p>2. The Information Database is used to:</p> <p>1) ensure open access to information about real estate objects for the accommodation of internally displaced persons, their location, technical condition, and other details;</p> <p>2) submit applications for accommodation in a real estate object by internally displaced persons;</p> <p>3) attract material and other resources (including international assistance) to finance real estate objects for the accommodation of internally displaced persons;</p> <p>4) make decisions regarding real estate objects to ensure the accommodation of internally displaced persons.</p> <p>3. The holder and administrator of the Information Database is determined by the Cabinet of Ministers of Ukraine.</p> <p>4. Users of the Information Database are state authorities, local self-government bodies, enterprises, institutions, organizations, and other legal and physical entities.</p>	<p>Article 4². Information and Analytical System of Real Estate Objects for the Accommodation of Internally Displaced Persons</p> <p>Information and Analytical System of Real Estate Objects for the Accommodation of Internally Displaced Persons (hereinafter referred to as the "Information System") is an information and communication system that provides for the collection, accumulation, protection, registration, display, processing, and provision of information about state, communal, and, at the discretion of the owner, private property objects, including land plots, residential buildings, structures, buildings (or their separate parts), apartments, residential and non-residential premises, and other real estate objects that are used or can be used or converted for the accommodation of internally displaced persons.</p> <p>Information from the Information System is published on the official website of the Information System holder (except for information with restricted access), in the form of a publicly accessible interactive map, as well as in the form of open data on the unified state web portal of open data.</p> <p>2. The Information System is used to:</p> <p>1) record real estate objects that are used or can be used or converted for the accommodation of internally displaced persons, and systematize information about such objects;</p> <p>2) ensure open access to information about real estate objects that can be provided for the accommodation of internally displaced persons, the location of such objects, their technical condition, and other details;</p> <p>3) submit and consider, in the manner established by the Cabinet of Ministers of Ukraine, applications for the provision of real estate objects, information about which is contained in the Information System, for the accommodation of internally displaced persons;</p> <p>4) attract material and other resources (including international assistance) to finance real estate objects for the accommodation of internally displaced persons;</p> <p>5) make management decisions regarding real estate objects to ensure the accommodation of internally displaced persons.</p>

5. User access to the Information Database is provided free of charge through a user electronic cabinet of the Information Database or another state-owned information and communication system integrated with the Information Database.

6. The Information Database is created using software that ensures its compatibility and electronic information interaction in real-time with state-owned information and communication systems, including the State Register of Real Property Rights, the State Land Cadastre, the Unified State Register of Legal Entities, Individuals - Entrepreneurs, and Public Formations, the Unified State Electronic System in the field of construction, the Unified State Register of Court Decisions, and other public electronic registers specified in the procedure for maintaining the Information Database.

Financing of expenses for creating, forming, and maintaining the Information Database is carried out at the expense of state budget funds and other sources not prohibited by law.

7. To examine real estate objects for the accommodation of internally displaced persons and to populate the Information Database, the following are established:

Coordination Commissions at regional, Kyiv city state (military) administrations (hereinafter - Coordination Commissions);

Regional Commissions for inspection at district state (military) administrations (hereinafter - Inspection Commissions).

The Coordination Commissions consist of representatives of regional, Kyiv city state (military) administrations, regional branches of the State Property Fund of Ukraine, interregional territorial bodies of the Ministry of Justice of Ukraine, territorial bodies of the central executive authority implementing state policy in the field of social protection, local self-government bodies, ~~respective regional, Kyiv city councils~~, and other officials of state bodies, the owner, the management entity, or its authorized representative.

The Inspection Commissions consist of representatives of local state (military) administrations, local self-government bodies, and other officials of state bodies, the owner, the management entity, or its authorized representative.

Based on the results of the inspections of real estate objects, an Inspection Act is compiled, from which data is entered into the Information Database and which includes general data on the land plot, the area of residential premises, including free space for accommodating internally

3. The holder and administrator of the Information System is determined by the Cabinet of Ministers of Ukraine.

4. Users of the Information **System** are state authorities, local self-government bodies, enterprises, institutions, organizations, and other legal and physical entities.

5. User access to the Information **System** is provided free of charge through a user electronic cabinet of the Information **System** or another state-owned information and communication system integrated with the Information **System**.

6. The Information **System** is created using **software** that ensures its compatibility and electronic information interaction in real-time with state-owned information and communication systems, including the State Register of Real Property Rights, the State Land Cadastre, the Unified State Register of Legal Entities, Individuals - Entrepreneurs, and Public Formations, the Unified State Electronic System in the field of construction, the Unified State Register of Court Decisions, and other public electronic registers specified in the procedure for maintaining the Information **System**.

Financial support for the creation and maintenance of the Information System is carried out at the expense of state budget funds and other sources not prohibited by law.

7. To inspect real estate objects for the accommodation of internally displaced persons and to populate the Information System, the following are established:

Coordination Commissions for Recording Real Estate Objects for the Accommodation of Internally Displaced Persons at regional, Kyiv city state (military) administrations (hereinafter - Coordination Commissions);

Regional Commissions for Inspection of Real Estate Objects for the Accommodation of Internally Displaced Persons at district state (military) administrations (hereinafter - Inspection Commissions).

The Coordination Commissions consist of representatives of regional, Kyiv city state (military) administrations, regional branches of the State Property Fund of Ukraine, interregional territorial bodies of the Ministry of Justice of Ukraine, territorial bodies of the central executive authority implementing state policy in the field of social protection, local self-government bodies, other officials of state bodies, the owner, the management entity, or its authorized representative **who has the right to manage and use the real estate, information about which is included in the Information System.**

The Inspection Commissions consist of representatives of local state (military) administrations, local self-government bodies, other officials of state

displaced persons, the technical condition of the premises, the general characteristics of the premises, the number of people residing in the premises, and the number of available places for accommodation, photos, and videos of the real estate object, and conclusions on the possibility of using the real estate object for the accommodation of internally displaced persons.

Material and technical support for the activities of the Coordination Commissions and Inspection Commissions is provided by the respective state (military) administrations.

8. The procedure for inspecting real estate objects for the accommodation of internally displaced persons, the standard provisions on the Coordination Commission and Inspection Commission, and the standard form of the Inspection Act are approved by the Cabinet of Ministers of Ukraine.

9. The procedure for filling, processing applications for accommodation of internally displaced persons, and maintaining the Information Database, and its interaction with other information and communication systems is determined by the Cabinet of Ministers of Ukraine.

bodies, the owner, the management entity, or its authorized representative **who has the right to manage and use the real estate, information about which is included in the Information System.**

Commission members may include representatives of international organizations, public associations, charitable foundations, and advisory bodies operating under the authorities whose representatives are part of the commissions.

Inspections of state and communal real estate are generally carried out in the following sequence:

- 1) dormitories;**
- 2) residential buildings;**
- 3) hotel buildings and other temporary accommodation facilities;**
- 4) other non-residential buildings that can be adapted for the accommodation of internally displaced persons;**
- 5) other real estate objects suitable for the accommodation of internally displaced persons (including unfinished buildings);**
- 6) land plots defined or that can be defined by urban planning documentation for the future construction of housing for internally displaced persons.**

In the event of a need to make changes to the Information System regarding information on real estate objects (in particular, due to their repair, re-equipment, or deterioration of technical condition, change of owner, etc.) or to enter information on new objects, the sequence of inspection is determined by the Coordination Commissions.

Based on the results of inspections of real estate objects, an Act of Inspection of Real Estate Objects (hereinafter referred to as the "Inspection Act") is drawn up. The information from this act is entered into the Information **System** and includes: general data on the land plot, **the real estate object**, the area of residential premises, including free space for accommodating internally displaced persons, the technical condition of the premises, general characteristics of the premises, the number of people residing in the premises, and the number of available places for residence, photos and videos of the real estate object, and a conclusion on the possibility of using the real estate object for the residence of internally displaced persons.

The material and technical support for the activities of the Coordination Commissions and the Inspection Commissions is provided by the relevant state (military) administrations.

	<p>8. The procedure for inspecting real estate objects for the residence of internally displaced persons, the Model Regulations on the Coordination Commission and the Inspection Commission, and the standard form of the Inspection Act are approved by the Cabinet of Ministers of Ukraine.</p> <p>9. The procedure for maintaining, structuring, and the amount of information to be entered into the Information System; the procedure for its interaction with other information and communication systems; the procedure for connecting users, providing, blocking, restoring, and canceling user access to the Information System; the procedure and volumes of using information obtained in the manner of electronic information interaction between the Information System and other state-owned information and communication systems; the list of administrative services and services provided using the Information System or the functionality of the users mentioned in part five of this article is determined in the procedure for maintaining the Information System, which is approved by the Cabinet of Ministers of Ukraine.</p>
<p align="center">Law of Ukraine "On the Lease of State and Municipal Property"</p>	
<p>Article 15. Lease of Property Without Auction</p> <p>1. The right to lease state and municipal property without an auction is granted to:</p> <p>state authorities and local self-government bodies, other institutions and organizations whose activities are financed from state or local budgets;</p> <p>....</p> <p>2. The right to lease state and municipal property that is not included in the List of the First Type without an auction is also granted to:</p> <p>...</p> <p>state and municipal enterprises, public and charitable organizations that provide housing for internally displaced persons.</p>	<p>Article 15. Lease of Property Without Auction</p> <p>1. The right to lease state and municipal property without an auction is granted to:</p> <p>state authorities and local self-government bodies, other institutions and organizations whose activities are financed from state or local budgets;</p> <p>....</p> <p>2. The right to lease state and municipal property that is not included in the List of the First Type without an auction is also granted to:</p> <p>...</p> <p>state and municipal enterprises, public associations, and charitable organizations for the purpose of providing this property for temporary accommodation of internally displaced persons.</p>
<p><i>FINAL AND TRANSITIONAL PROVISIONS</i></p> <p>...</p> <p>6³. The Cabinet of Ministers of Ukraine shall establish preferential conditions for calculating rent for state and municipal property to ensure the accommodation of internally displaced persons for the following tenants:</p> <p>state and municipal enterprises;</p> <p>public and charitable organizations.</p>	<p><i>FINAL AND TRANSITIONAL PROVISIONS</i></p> <p>...</p> <p>6³. The Cabinet of Ministers of Ukraine shall establish preferential conditions for calculating rent for state and municipal property to ensure the accommodation of internally displaced persons for the following tenants:</p> <p>state and municipal enterprises;</p> <p>public associations and charitable organizations.</p>

Law of Ukraine "On Local Self-Government in Ukraine" (First Reading Version Without Changes)"

Article 30. Powers in the Field of Housing and Communal Services, Household, Trade Services, Public Catering, Transport, and Communication

The powers of the executive bodies of village, settlement, and city councils include:

a) own (self-governing) powers:

1) management of housing and communal services, household, trade services, transport, and communication facilities that are in the communal ownership of the respective territorial communities, ensuring their proper maintenance and efficient operation, and providing an adequate level and quality of services to the population;

1⁻¹) ensuring the functioning of the energy management system, particularly concerning the buildings of budgetary institutions;

2) registration of citizens who, according to the legislation, need improved living conditions;

allocation and provision, in accordance with the law, of housing that is in communal ownership **or obtained under lease or use (including by communal enterprises, institutions, and organizations);**

resolution of issues concerning the use of non-residential premises, buildings, and structures that are in communal ownership.

...

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1⁻¹) ensuring the functioning of the energy management system, particularly concerning the buildings of budgetary institutions;

2) registration of citizens who, according to the legislation, need improved living conditions;

allocation and provision, in accordance with the law, of housing that is in communal ownership **or obtained under lease or use (including by communal enterprises, institutions, and organizations);**

resolution of issues concerning the use of non-residential premises, buildings, and structures that are in communal ownership.

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Law of Ukraine "On Vocational (Vocational and Technical) Education"

Chapter XII *FINAL PROVISIONS*

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1¹. During the period of martial law in Ukraine, introduced by the Decree of the President of Ukraine dated February 24, 2022, No. 64/2022 "On the Introduction of Martial Law in Ukraine," approved by the Law of Ukraine "On Approval of the Decree of the President of Ukraine 'On the Introduction of Martial Law in Ukraine'" dated February 24, 2022, No. 2102-IX, and for three years after its termination or cancellation, the property of vocational (vocational-technical) education institutions and establishments, which has not been used for its intended purpose for twelve consecutive months, is

Chapter XII *FINAL PROVISIONS*

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<p>provided for rent for the accommodation of internally displaced persons in the manner established by the Cabinet of Ministers of Ukraine.</p>	<p>purpose for twelve consecutive months shall be leased for the accommodation of internally displaced persons.</p> <p>The procedure for confirming the non-use of property for its intended purpose, grounds for refusal by the owner, the management entity, or their authorized representative, who has the right to dispose of and use the specified property, to lease it, the procedure for leasing the property, and grounds for early termination of the lease agreement shall be approved by the Cabinet of Ministers of Ukraine.</p>
<p align="center">Law of Ukraine "On Preschool Education" (It is proposed to make no changes)</p>	
<p align="center"><i>Chapter X</i> <i>FINAL PROVISIONS</i></p> <p align="center">...</p> <p>2¹. During the period of martial law in Ukraine, introduced by the Decree of the President of Ukraine dated February 24, 2022, No. 64/2022 "On the Introduction of Martial Law in Ukraine," approved by the Law of Ukraine "On Approval of the Decree of the President of Ukraine 'On the Introduction of Martial Law in Ukraine'" dated February 24, 2022, No. 2102-IX, and for three years after its termination or cancellation, the property of preschool education institutions that has not been used for its intended purpose for twelve consecutive months is provided for rent for the accommodation of internally displaced persons.</p>	<p align="center">Excluded</p>
<p align="center">Law of Ukraine "On Higher Education"</p>	
<p align="center"><i>Chapter XV</i> <i>FINAL AND TRANSITIONAL PROVISIONS</i></p> <p align="center">...</p> <p>6¹. During the period of martial law in Ukraine, introduced by the Decree of the President of Ukraine dated February 24, 2022, No. 64/2022 "On the Introduction of Martial Law in Ukraine," approved by the Law of Ukraine "On Approval of the Decree of the President of Ukraine 'On the Introduction of Martial Law in Ukraine'" dated February 24, 2022, No. 2102-IX, and for three years after its termination or cancellation, the property of higher education institutions that has not been used for its intended purpose for twelve consecutive months is provided for rent for the accommodation of</p>	<p align="center"><i>Chapter XV</i> <i>FINAL AND TRANSITIONAL PROVISIONS</i></p> <p align="center">...</p> <p>6¹. During the period of martial law in Ukraine, introduced by the Decree of the President of Ukraine dated February 24, 2022, No. 64/2022 "On the Introduction of Martial Law in Ukraine," approved by the Law of Ukraine "On Approval of the Decree of the President of Ukraine 'On the Introduction of Martial Law in Ukraine'" dated February 24, 2022, No. 2102-IX, and for three years after its termination or cancellation, the property of higher education institutions that has not been used for its intended purpose for twelve consecutive months is provided for rent for the accommodation of internally displaced persons.</p>

internally displaced persons ~~in the manner established by the Cabinet of Ministers of Ukraine.~~

The procedure for confirming the non-use of property for its intended purpose, grounds for refusal by the owner, the management entity or its authorized representative who has the right to dispose of and use the specified property, to lease it out, the procedure for leasing the property, and grounds for early termination of the lease agreement are approved by the Cabinet of Ministers of Ukraine.

Law of Ukraine "On Education"

Chapter XII

FINAL AND TRANSITIONAL PROVISIONS

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5¹. During the period of martial law in Ukraine, introduced by the Decree of the President of Ukraine dated February 24, 2022, No. 64/2022 "On the Introduction of Martial Law in Ukraine," approved by the Law of Ukraine "On Approval of the Decree of the President of Ukraine 'On the Introduction of Martial Law in Ukraine'" dated February 24, 2022, No. 2102-IX, and for three years after its termination or cancellation, the property of educational institutions that has not been used for the types of activities provided by special laws for twelve consecutive months shall be leased for the accommodation of internally displaced persons ~~in the manner established by the Cabinet of Ministers of Ukraine.~~

Chapter XII

FINAL AND TRANSITIONAL PROVISIONS

...

5¹. During the period of martial law in Ukraine, introduced by the Decree of the President of Ukraine dated February 24, 2022, No. 64/2022 "On the Introduction of Martial Law in Ukraine," approved by the Law of Ukraine "On Approval of the Decree of the President of Ukraine 'On the Introduction of Martial Law in Ukraine'" dated February 24, 2022, No. 2102-IX, and for three years after its termination or cancellation, the property of educational institutions that has not been used for the types of activities provided by special laws for twelve consecutive months shall be leased for the accommodation of internally displaced persons.

The procedure for confirming the non-use of property for its intended purpose, the grounds for refusal by the owner, the management entity, or their authorized representative, who have the right to dispose of and use the specified property, to lease it, the procedure for leasing the property, and the grounds for early termination of the lease agreement shall be approved by the Cabinet of Ministers of Ukraine.

II. Final ~~and Transitional~~ Provisions

II. Final Provisions

1. This Law shall come into force on the day following its publication

1. This Law shall come into force **7 days after** its publication.

~~2. Take note that the inspection of state, municipal, and, at the owner's request, private property objects shall generally be carried out in the following order:~~

~~1) dormitories;~~

~~2) residential buildings;~~

~~3) hotel buildings and other buildings for temporary accommodation;~~

~~4) other non-residential buildings that can be adapted for the accommodation of internally displaced persons;~~

~~5) other real estate objects suitable for the accommodation of internally displaced persons (including unfinished constructions);~~

~~6) land plots designated or that may be designated by urban planning documentation for the prospective construction of housing for internally displaced persons.~~

3. The Cabinet of Ministers of Ukraine shall:

1) within one month from the date of entry into force of this Law, approve an action plan for the implementation of this Law;

2) within two months from the date of entry into force of this Law: designate the holder and administrator of the Information Database; ensure the adoption and amendment of its regulations in compliance with this Law;

ensure that ministries and other central and ~~local~~ executive authorities amend their regulations in compliance with this Law;

3) Within three months from the date of entry into force of this Law, ensure the creation, functioning, and maintenance of the Information Database;

4) In cooperation with local self-government bodies: within three months from the date of entry into force of this Law, ensure the establishment and functioning of the Coordination Commissions and Commissions for Inspections.

within six months from the date of entry into force of this Law, ensure the inspection of real estate objects for the accommodation of internally displaced persons by entering information into the Information Database.

4. The State Property Fund of Ukraine shall:

1) within one month from the date of entry into force of this Law, provide regional, Kyiv city military (state) administrations with information on state-owned real estate objects located within the region (city of Kyiv) according to the management entities of these objects;

2) ensure the participation of representatives of regional branches in the work of the Coordination Commissions at the regional, Kyiv city military (state) administrations.

5. Local self-government bodies are recommended to ensure:

1) the provision of candidates for inclusion in the Coordination Commissions and Commissions for Inspections;

2. The Cabinet of Ministers of Ukraine shall:

1) within one month from the date of entry into force of this Law, approve an action plan for the implementation of this Law;

2) within two months from the date of entry into force of this Law: designate the holder and administrator of the **Information System**; **ensure the adoption of the regulatory legal acts necessary for the implementation of this Law;**

bring its own regulatory legal acts into compliance with this Law; ensure that ministries and other central executive authorities bring their regulatory legal acts into compliance with this Law;

3) within three months from the date of entry into force of this Law, ensure the creation, functioning, and maintenance of the Information **System**;

4) in cooperation with local self-government bodies: within three months from the date of entry into force of this Law, ensure the establishment and functioning of Coordination Commissions and Commissions for Inspections.

within six months from the date of entry into force of this Law, ensure the inspection of real estate objects for the accommodation of internally displaced persons by entering information into the Information **System**.

4. The State Property Fund of Ukraine shall:

1) within one month from the date of entry into force of this Law, provide regional and Kyiv city military (state) administrations with information on state-owned real estate objects located within the region (city of Kyiv) according to the management entities of these objects;

2) ensure the participation of representatives of regional branches in the work of the Coordination Commissions at regional and Kyiv city military (state) administrations.

5. Local self-government bodies are recommended to ensure:

<p>2) participation of their representatives in the work of the Coordination Commissions and Commissions for Inspections;</p> <p>3) the provision of information on municipal property objects that can be used for the accommodation of internally displaced persons to regional, Kyiv city military (state) administrations for their further transfer to the Coordination Commissions.</p>	<p>1) the nomination of candidates for inclusion in the Coordination Commissions and Commissions for Inspections;</p> <p>2) the participation of their representatives in the work of the Coordination Commissions and Commissions for Inspections;</p> <p>3) the provision of information on municipal property objects that can be used for the accommodation of internally displaced persons to regional and Kyiv city military (state) administrations for their further submission to the Coordination Commissions.</p>
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