

**Ministry of Foreign Economic Relations and Trade of Ukraine**

**Decree N 30 of January 18, 1996**

**ON APPROVAL OF REGULATIONS ON THE PROCEDURE OF REGISTRATION OF  
FOREIGN AGENTS OF ECONOMIC ACTIVITY REPRESENTATIVE OFFICES IN UKRAINE**

In accordance with the Article 5 of the Law of the Ukrainian Soviet Socialist Republic “On Foreign Economic Activity” and with the aim of regulating the mechanism of registration of foreign agents of economic activity representative offices in Ukraine **I DECREE:**

1. To approve the Regulations on the Procedure of Registration of Foreign Agents of Economic Activity Representative Offices in Ukraine (enclosed).
2. The Main Contractual and Legal Department (Mr. L. D. Nestor) shall provide the registration of this Decree in the Ukrainian Ministry of Justice according to the period of time established by the legislation.
3. Department of Information (Mr. O. V. Zagornyak) shall prepare and provide publication of this Decree in the newspaper “Uryadoviy curier” in the five-days period after its registration.
4. Department of Foreign Institutions (Mr. V. O. Bezruchenko) shall provide severe observance of the above-mentioned Regulations during registration of foreign agents of economic activity representative offices in Ukraine.
5. To constitute that the Register of Foreign Agents of Economic Activity Representative Offices in Ukraine is the document that includes confidential information.
6. To determine the procedure when information on registration of foreign agents of economic activity representative offices in Ukraine is given to other ministries, organizations and institutions under the permit of Deputy Minister who controls Department of Foreign Institutions.
7. Deputy Minister Mr. A. I. Goncharuk is responsible for fulfilment of this Decree.

**Minister**

**S. Osyka**

**Registered in the Ministry of Justice of Ukraine on January 24, 1996 under N 34/1059**

**Approved by the Decree No. 30 of Ministry of Foreign Economic Relations and Trade of Ukraine  
dated January 18, 1996**

**Regulations  
ON THE PROCEDURE OF REGISTRATION OF FOREIGN AGENTS OF ECONOMIC  
ACTIVITY REPRESENTATIVE OFFICES IN UKRAINE**

1. This Regulations has been developed on the basis of the Article 5 of the Law of the Ukrainian Soviet Socialist Republic "On Foreign Economic Activity" and with the aim of regulating the mechanism of registration of foreign agents of economic activity representative offices in Ukraine.

2. Foreign agent of economic activity which intends to open a representative office on the Ukrainian territory shall submit to the Ministry of Foreign Economic Relations and Trade of Ukraine the following documents:

2.1. application of a free form with the request on registration of the representative office. The following information should be noted in the application:

- name of the firm;
- country of the firm's location;
- number of telephone, fax;
- town where the representative office is opened with mentioning of its future address;
- if there are branches - to mention in which town;
- a number of foreign citizens who will work for the representative office;
- date of the firm's establishment;
- legal status of the firm;
- a number of the firm's employees;
- name of the bank with mentioning of the account's number;
- field of the firm's activity;
- the aim of opening and field of activity of the representative office, information on business relations with Ukrainian partners and perspectives of cooperation development.

2.2. extract from the trading (banking) register of the country where the head office of foreign agent of economic activity officially registered;

2.3. information from the banking organization where the account of foreign agent of economic activity officially opened;

2.4. letter of attorney for conducting of representative functions in Ukraine, legalized in accordance with the country's legislation where the office of foreign agent of economic activity officially registered.

3. Documents mentioned in sub-paragraph 2.1, 2.2, 2.3 and 2.4 of paragraph 2 of this Regulations have to be witnessed notarially in the place of their handing out, thoroughly legalized in the consular organizations which present the interest of Ukraine if other is not for international agreements of Ukraine. They also should be translated into Ukrainian.

Documents shall be submitted to the Ministry of Foreign Economic Relations and Trade of Ukraine not later than 6 months from the date of their handing out in the country of the firm's location.

4. During acceptance of documents the applicant is given the account's number for payment of state tax in the amount of \$ 2.500.

5. In a case when the country's legislation of foreign agents of economic activity requires a special permit of state organizations of this country for opening the representative office, the copy of such permit certified with observance of all requirements mentioned in paragraph 3 should be enclosed to the application form.

6. Decision on registration of foreign agents of economic activity representative office or refusal in its registration is taken on the basis of results of the application consideration.

Certificate on registration of the representative office is issued after submission to the Ministry of Foreign Economic Relations and Trade of Ukraine documents that meet requirements of this Regulations but not later than 60 working days from the date of state tax payment.

Non-taking of decision according to the established period of time or decision on refusal in the registration can be appealed in a court or in the Ukrainian Court of Arbitration.

7. Applicant is issued the Certificate on Registration of the established form with the appropriate number (appendix N 1) in a case of registration of foreign agent of economic activity representative office.

Data on registration are included into the Register of Representative Offices that is kept by the Ministry of Foreign Economic Relations and Trade of Ukraine.

Registration number of the representative office, date of registration, name and address of foreign agent of economic activity which registers the representative office, address of the representative office, field of firm's activity and other information are mentioned in the Register.

8. Foreign agent of economic activity representative office is considered as opened from the date of its registration.

9. The following information should be noted in the Certificate on Registration:

- an official name of foreign agent of economic activity;
- a number of foreign citizens who are workers of foreign agent of economic activity and who are employees of the representative office;
- registration number of the representative office;
- location of the representative office and its branches;

10. The Certificate issued by the Ministry of Foreign Economic Relations and Trade of Ukraine is the basis for:

- appeal to:

- a) bodies of the Department of Visas and Registrations of the Ukrainian Ministry of Home Affairs for registration of passports and receiving of visas by foreign employees of the representative office;
- b) the Ukrainian Ministry of Labour for the employment permit in Ukraine of foreign employees of the representative office on the period of its functioning;
- opening of current accounts in banks of Ukraine;
- duty free transporting of possessions and equipment that are imported to Ukraine temporarily and necessary for outfitting of office and functioning of the representative mission;
- registration and receiving in bodies of the State Automobile Inspectorate of the Ukrainian Ministry of Home Affairs of appropriate plates for automobile transport that is the property of the representative office.

11. Foreign agent of economic activity representative office is obliged to register itself in the tax inspectorate where the representative office is located and in the Ministry of Statistics of Ukraine during a month from the date of the Certificate receiving.

12. The Ministry of Foreign Economic Relations and Trade of Ukraine carries out registration of the representative office of foreign firms previously accredited by the Ukrainian Chamber of Commerce and Industry after ending of accreditation period with submission of the required documents provided for the Article 5 of the Law of the Ukrainian Soviet Socialist Republic "On Foreign Economic Activity" and this Regulations without payment of registration fee when foreign agent of economic activity applies to the Ministry of Foreign Economic Relations and Trade of Ukraine not later than 6 months after ending of accreditation period.

13. Foreign agent of economic activity representative office that functions on the Ukrainian territory shall notify the Ministry of Foreign Economic Relations and Trade of Ukraine on change of name, legal status, legal address or announcement of foreign agent of economic activity insolvent or bankrupt not later than in seven-days period.

14. The representative office of agent of economic activity is not a legal entity and does not conduct commercial activity independently; in all the cases it acts for and on behalf of foreign agents of economic activity mentioned in the Certificate on Registration and carries out its functions in accordance with the legislation of Ukraine. Foreign agent of economic activity representative office can carry out functions related to fulfilment of representative services only in interests of foreign agent of economic activity mentioned in the Certificate.

15. Head of the representative office acts on the basis of power of attorney from foreign agent of economic activity certified with observance of requirements of paragraph 3 of this Regulations and the legislation of Ukraine.

16. The representative office is obliged to notify the the Ministry of Foreign Economic Relations and Trade of Ukraine in a month-period on changes in the management of the representative office; location of the representative office and foreign employees staff.

17. Function of foreign agent of economic activity representative is stopped:

17.1 in a case of liquidation of foreign agent of economic activity which has the representative office in Ukraine;

17.2 in a case of stopping of agreement with foreign country if the representative office is opened on the basis of such agreement and this directly provided for provisions of the agreement;

17.3 on decision of foreign agent of economic activity which has opened the representative office;

17.4 in a case of non-fulfilment the provisions of this Regulations and / or requirements of the legislation of Ukraine by foreign agent of economic activity or the representative office, activity of the representative office is stopped in the judicial order.

The Ministry of Foreign Economic Relations and Trade of Ukraine takes a decision on cancellation of record in the Register of the Representative Offices and withdrawal of the Certificate on Registration in a case of ending of function of foreign agent of economic activity representative office. This information is

notified through mass media.

18. The Ministry of Foreign Economic Relations and Trade of Ukraine issues special official cards for foreign employees of foreign agent of economic activity representative office. These cards functions within all the Ukrainian territory due to procedure and form mentioned in Appendices N 2 and N 3 of this Regulations respectively.

**APPENDIX N 1**  
**to the Regulations on the Procedure of Registration of Foreign Agents of Economic Activity**  
**Representative Offices in Ukraine**

MINISTRY OF FOREIGN ECONOMIC RELATIONS AND TRADE OF UKRAINE

**CERTIFICATE ON REGISTRATION**

THIS IS TO CERTIFY THAT THE MINISTRY OF FOREIGN ECONOMIC RELATIONS AND TRADE OF UKRAINE CONFIRMS THE REGISTRATION OF THE FIRMS REPRESENTATIVE OFFICE ( firm`s name in the foreign language and in Ukrainian), country of firm`s origin (name of the country in Ukrainian).

The representative office with name (name of the representative office in Ukrainian) carries out its functions in accordance with the legislation of Ukraine.

Location of the Representative Office is: (name of the settlement)

A number of employees of the Representative Office (firm`s name in Ukrainian) including the Head of the Representative Office will not be more than \_\_\_\_\_ persons.

Registration N: ЇІ \_\_\_\_\_

Kyiv, “\_\_\_\_\_” \_\_\_\_\_ 199    đ.

Deputy Minister