

CABINET OF MINISTERS OF UKRAINE

Resolution

dated 15 May 2003, N 690

Kyiv

On Establishment of the State-Owned Enterprise “Agency for Restructuring of Enterprises in the Agro-Industrial Complex”

In connection with the restructuring of the State Joint Stock Company “Khib Ukrainy”, the Cabinet of Ministers of Ukraine hereby RESOLVES:

1. To establish a State-Owned Enterprise “Agency for Restructuring of Enterprises in the Agro-Industrial Complex” (hereinafter referred to as, the “Agency”) by way of singling out from the State Joint Stock Company “Khib Ukrainy” (hereinafter referred to as, the “Company”) a branch named Agency for Restructuring of Enterprises in the Agro-Industrial Complex”, and to transfer the same into the sphere of competence of the Ministry of Agrarian Policy.
2. Within a one-month period, the Ministry of Agrarian Policy must approve a charter for the Agency, undertake measures to register the Agency and appoint a manager.
3. The State Treasury, the State Committee on Material Reserves, Ukreximbank and the Company must ensure the transfer to the Agency of:

obligations under credits not repaid to the State Budget and Ukreximbank, which credits were obtained under a State guarantee within the framework of the PL – 480 Program of the US Department of Agriculture;

obligations not repaid under budget loans that arose as a result of settlements of payments to wholesale suppliers for supplies of material and technical resources to agricultural producers through the Company pursuant to Resolutions of the Cabinet of Ministers of Ukraine, dated 3 September, 1997, under No. 977, dated 29 December 1997, under No. 1476, dated 24 January 1998, under No. 77, dated 8 September 1998, under No. 1395, dated 9 March 1999, under No. 330, and dated 25 October 1999, under No. 1960;

debts not repaid to the State Budget that arose in the course of transfer of debts of the Joint Stock Holding Company “Ukrnaftoproduct” to the Company pursuant to Resolution No. 1747 of the Cabinet of Ministers of Ukraine, dated 5 November 1998, for oil products supplied to agricultural producers;

obligations not repaid to the State Committee on Material Reserves that arose in the process of implementation of Resolutions of the Cabinet of Ministers of Ukraine, dated 5 May 1998, under No. 598, dated 25 August 1998, under No. 1338, dated 11 December 1998, under No. 1962, dated 18 December 1998, under No. 2002, and Order No. 945 of

the Cabinet of Ministers of Ukraine, dated 16 November 1998, and Order No. 312-pc, dated 19 April 1999;

obligations not repaid to wholesale suppliers of materials and technical resources that arose as a result of agricultural producers' failure to comply with their obligations before the Company pursuant to Resolution No. 977 of the Cabinet of Ministers of Ukraine, dated 3 September 1997, and Resolution No. 77 of the Cabinet of Ministers of Ukraine, dated 24 January 1998 (per their consent);

other outstanding obligations of the Company as reflected in the balance sheet;

claims against debtors of the Company as to settlements of payment for material and technical resources supplied pursuant to Resolutions of the Cabinet of Ministers of Ukraine, dated 3 September 1997, under No. 977, dated 24 January 1998, under No. 77, dated 24 January 1998, under No. 83, dated 25 August 1998, under No. 1338, commodity supplies within the framework of the PL – 480 Program of the US Department of Agriculture, as well as against other debtors of the Company.

4. The Company must provide the Agency with premises, technical means, equipment and working capital that are necessary to organize the Agency's operation.

5. The Government Commission for Restructuring of the Company, the State Property Fund and the Company must submit to the Cabinet of Ministers of Ukraine, by 1 July 2003, proposals as to the transfer onto the Agency's books of certain subsidiaries of the Company.

6. As a partial change to Item 2, Resolutions of the Cabinet of Ministers of Ukraine, dated 25 October 2002, under No. 604 "On Restructuring of SJSC "Khib Ukrainy" (Official Herald of Ukraine, 2002, No. 44, page 2039), to authorize the Chairman of the Government Commission for Restructuring of the Company to make changes to the Plan for Restructuring of the Company on a need be basis.

V. JANUKOVYCH
Prime Minister of Ukraine

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