

Peculiarities of reservation of persons liable for military service employed in the representative offices of donor agencies and executors of ITA projects

In accordance with Resolution of the Cabinet of Ministers of Ukraine dated January 27, 2023 № 76 **we draw the attention of representative offices of donor agencies and executors of international technical assistance projects** to the following:

- **representative offices of donor agencies and executors of international technical assistance projects are considered to be critically important institutions for the functioning of the economy and ensuring the vital activity of the population during the special period** (hereinafter referred to as critically important institutions);
- **the list of critically important institutions is approved by the Secretariat of the Cabinet of Ministers of Ukraine;**
- for persons liable for military service who are employed in the representative offices of donor agencies and executors of international technical assistance projects, **the period of deferral cannot exceed 12 months;**
- **the number of persons liable for military service** who are employed in the representative offices of donor agencies and executors technical assistance projects and are subject to reservation **should not exceed 50 percent of the number of employees liable for military service;**
- the number of conscripts subject to reservation **may exceed 50 percent** by decision of the Ministry of Defence, adopted on the basis of proposals (recommendations) of the Interdepartmental Working Group established in accordance with Resolution of the Cabinet of Ministers of Ukraine dated June 18, 2024 No. 707.

Reasonable proposals to increase the number of conscripts to be reserved **should be submitted to the Ministry of Defence** by the state authority that has decided to designate the enterprise, institution or organisation as a critically important institutions. Decision of the Ministry of Defene should be sent to the relevant state authority that decided to designate the enterprise, institution, or organization as a critically important institution.

- **only those employees liable for military service who are directly involved in the implementation of project tasks and are defined as such in accordance with the executor's internal documents (order, job description, etc.) are subject to reservation;**
- **able for military service employees** of critically important institutions included in the lists **must be paid a monthly salary during the period for which a deferral** from military service during mobilization and wartime **will be granted, not lower than the minimum wage in the country, multiplied by a coefficient of 2,5;**
- **in case** a critically important institution **employs one person liable for military service** who is subject to reservation in accordance with the law, **the restrictions do not apply;**
- **reservation will be made through the Unified State Web Portal of Electronic Services (the Diia Portal), in case of absence of a code according to the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Organizations (EDRPOU), donor agencies and executors of international technical assistance projects shall submit a list to the Secretariat of the Cabinet of Ministers of Ukraine;**
- **submitting an application in electronic form to cancel the reservation of a person liable for military service using the Diia Portal tools.**

- **The representative offices of donor agencies and executors of international technical assistance projects that are critically important institutions**

The List of Critically Important Institutions (hereinafter referred to as the List) is approved by the Secretariat of the Cabinet of Ministers of Ukraine.

To be included in the List, an appropriate application should be submitted to the Secretariat of the Cabinet of Ministers of Ukraine.

The Secretariat of the Cabinet of Ministers of Ukraine informs the applicant of the relevant decision.

- **For the purpose of reservation of persons liable for military service, the Ministry of Economy of Ukraine creates and maintains a Unified List using the Diia Portal tools.**

The Secretariat of the Cabinet of Ministers of Ukraine includes critically important institutions in the Unified List in accordance with the List.

The inclusion of a critically important institution in the Unified List is carried out on the basis of a notification of inclusion in the Unified List submitted by the Secretariat of the Cabinet of Ministers of Ukraine to the Ministry of Economy of Ukraine.

The notification shall contain the following information about the critically important institution in respect of which this notification is submitted:

full name of the legal entity;

code of the legal entity according to the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Organizations (EDRPOU) (if any);

location of the legal entity;

grounds for reservation of employees liable for military service of a critically important institution:

date of adoption and number of the decision of the Secretariat of the Cabinet of Ministers of Ukraine on determining the enterprise, institution, organization as critically important institution.

- **The head of a critically important institution may submit an application in electronic form using the Diia Portal tools and receive information about persons liable for military service in a critically important institution who have been granted a deferral and transferred to a special military registration that is contained in the Unified State Register of Conscripts, Persons Liable for Military Service and Reservists, namely:**

surname, full name, patronymic (if any);

registration number of the taxpayer's account card or series (if any) and passport number of Ukraine's citizen (for individuals who, due to their religious beliefs, have refused to accept the taxpayer registration card number, officially notified the relevant supervisory authority and have the relevant mark in their passport of Ukraine's citizen);

date of birth;

military registration status (general or special);

expiration date of deferral and special military registration.

- **Reservation of persons liable for military service are made using the Diia Portal tools according to the lists formed by the head of critically important institution or a person authorized by him.**

In case, a critically important institution does not have a code according to the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Organizations (EDRPOU) or the technical ability to generate a list using the Diia Portal tools, the critically important institution submits the list to the Secretariat of the Cabinet of Ministers of Ukraine.

This list contains the following information:

1) critically important institution:

full name of the legal entity;

code of the legal entity according to the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Organizations (EDRPOU) (if any);

location of the legal entity;

surname, full name, patronymic (if any) of the head of the legal entity or separate structural subdivision of the legal entity;

2) person liable for military service:

surname, full name, patronymic (if any);

registration number of the taxpayer's account card or series (if any) and passport number of Ukraine's citizen (for individuals who, due to their religious beliefs, have refused to accept the taxpayer registration card number, officially notified the relevant supervisory authority and have the relevant mark in their passport of Ukraine's citizen);

the period of the deferral.

Information (data, details) on granting a deferral from military service during mobilization (reservation) is reflected in the military registration document in electronic form (Electronic cabinet/account of conscripts, persons liable for military service and reservists "Reserve+").

The formation of the list by the Diia Portal tools is completed by a qualified electronic signature of the head of critically important institution and is sent to the Unified State Register of Conscripts, Persons Liable for Military Service and Reservists.

Within 72 hours from the moment the list is formed by the Unified State Register of Conscripts, Persons liable for Military Service and Reservists, the transfer of a person liable for military service to a special military registration for the period of deferral is carried out automatically in case of a person liable for military service:

is on military registration;

is employed in critically important institution;

has clarified the personal data specified in paragraph 2 of Section II "Final and Transitional Provisions" of the Law of Ukraine dated April 11, 2024 No. 3633-IX "On Amendments to Certain Legislative Acts of Ukraine Regarding Certain Issues of Military Service, Mobilization and Military Registration";

is not on the wanted list.

➤ **Granted deferral is subject to cancellation in case of:**

1) expiration of its validity period;

2) deprivation of the status of critically important institution by the government authority that made the decision to determine them as critically important institution;

3) liquidation of a critically important institution;

4) dismissal of a person liable for military service from a critically important institution;

5) temporary termination of the employment contract of a person liable for military service with a critically important institution;

6) a reasoned submission by the head of a critically important institution, but not more often than once every five calendar days using the Diia Portal.

The head of a critically important institution or a person who may act on behalf of a legal entity, information about whom is contained in the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Organizations, may **submit an application in electronic form using the Diia Portal tools to cancel the reservation of a person liable for military service** (hereinafter referred to as the application for cancellation of reservation), which contains the following information:

1) critically important institution:

full name of the legal entity;

code of the legal entity according to the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Organizations (EDRPOU) (if any);

location of the legal entity;

2) person liable for military service:

surname, full name, patronymic (if any);

registration number of the taxpayer's account card or series (if any) and passport number of Ukraine's citizen (for individuals who, due to their religious beliefs, have refused to accept the taxpayer registration card number, officially notified the relevant supervisory authority and have the relevant mark in their passport of Ukraine's citizen);

reason for cancellation of the deferral.