

**The Draft Law
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LAW OF UKRAINE

“On the Procedure for Drafting the New Constitution of Ukraine”

In accordance with the principle of democracy, in order to ensure the Ukrainian people’s right to determine and change the constitutional order in Ukraine, which is fixed by Article 5 of the Constitution of Ukraine, this Law defines the procedure for the commencement, development, and approval of the draft of the new Constitution of Ukraine, adopted by an all-Ukrainian referendum.

Section I GENERAL PROVISIONS

Article 1. The Ukrainian People’s Right to Adopt the New Constitution of Ukraine

1. The right to determine and change the constitutional order in Ukraine belongs exclusively to the people and shall not be usurped by the State, its bodies or officials.
2. The people has the right to determine the constitutional order in Ukraine directly by referendum, which is fixed by the Constitution of Ukraine. The procedure for drafting the new Constitution of Ukraine, which is put to an all-Ukrainian referendum, is established by this Law.
3. The exclusive people’s right to determine and change the constitutional order in Ukraine shall not be appropriated in any manner by the State, its bodies or officials.

Article 2. Stages of Drafting the New Constitution of Ukraine

1. Stages of drafting the new Constitution of Ukraine shall be as follows:
 - 1) Commencing the process of drafting the new Constitution of Ukraine;
 - 2) Convening the Constitutional Assembly of Ukraine (hereinafter – the Constitutional Assembly) and its activities;

- 3) Putting the new Constitution of Ukraine to an all-Ukrainian referendum.
2. The process of drafting the new Constitution of Ukraine may start on popular initiative to hold an all-Ukrainian referendum on adopting the new Constitution of Ukraine.
3. The President of Ukraine shall be obliged to issue a decree convening the Constitutional Assembly within one month after receiving the people's demand to hold an all-Ukrainian referendum on adopting the new Constitution of Ukraine.
4. The Decree of the President of Ukraine to convene the Constitutional Assembly shall be a legal basis for announcing the start of elections to the Constitutional Assembly by the Central Election Commission.
5. Within five days after the day of the Constitutional Assembly's decision on approval of the draft of the new Constitution of Ukraine and putting it to an all-Ukrainian referendum, the President of Ukraine shall issue a decree on holding an all-Ukrainian referendum on drafting the new Constitution of Ukraine.

Article 3. Commencement of the Process of Preparing the Draft of the New Constitution of Ukraine

1. The demand to hold an all-Ukrainian referendum on drafting the new Constitution of Ukraine at the people's initiative (popular demand) is an appeal (petition) of the citizens of Ukraine, which was signed by no less than three million citizens of Ukraine who are eligible to vote, provided their signatures concerning an all-Ukrainian referendum have been collected in no less than two-thirds of the administrative-territorial units of Ukraine provided for by Article 133 of the Constitution of Ukraine, and no less than one hundred thousand signatures have been collected in each of these administrative-territorial units.
2. Initiative groups coordinating the collection of signatures shall carry out propaganda freely, in any form, and by any means that do not contradict the Constitution and laws of Ukraine.
3. The people's demand to hold an all-Ukrainian referendum on approval of the new Constitution of Ukraine shall be submitted to the Central Election Commission of Ukraine to check its compliance with the requirements established by the Law on Referendums.
4. After the Central Election Commission's decision on its compliance with the requirements established by the Law on Referendums, the people's demand to hold an all-Ukrainian referendum on approval of the new Constitution of Ukraine shall be immediately submitted to the President of Ukraine.

Article 4. The Constitutional Assembly

1. The Constitutional Assembly is a body of constituent power, through which the Ukrainian people exercises its right to determine and change the constitutional order.

Article 5. The Constitutional Assembly's Tasks

1. The main tasks of the Constitutional Assembly shall be as follows:

- 1) Ensuring the right of the Ukrainian people to self-determination;
- 2) Ensuring the expression of the sovereign will of the citizens of Ukraine in the Constitution of Ukraine – the Fundamental Law of Ukraine;
- 3) Preparation and approval of the draft of the new Constitution of Ukraine based on the results of public discussions about putting it to an all-Ukrainian referendum.

Article 6. The Constitutional Assembly's Policies

1. The Constitutional Assembly's activities shall be based on the following principles:

- 1) Popular sovereignty – ensuring the implementation of constituent power by the Ukrainian people;
- 2) Supremacy of law – orienting the activities at the citizens' rights and freedoms, as well as implementing them in accordance with the principles of justice and humanity;
- 3) Legitimacy – exercising powers within and in the manner prescribed by the Constitution of Ukraine and this Law;
- 4) Publicity and openness – holding the meetings of the Constitutional Assembly of Ukraine openly, ensuring public participation in decision-making processes, mandatory publication of all the decisions taken by the Constitutional Assembly;
- 5) Independence – exercising powers independently of other state bodies, local governments, as well as their officials and employees;
- 6) Collegiateness – taking decisions after discussing them by voting during plenary meetings;
- 7) Professionalism – ensuring putting a quality draft of the new Constitution of Ukraine to an all-Ukrainian referendum by preparing the Document on holding public discussions, generalization of public discussions, preparation of the Concept of the new Constitution of Ukraine, and the draft of the new Constitution Ukraine in compliance with the legislative technique, taking into account the democratic world's standards and achievements of domestic science;
- 8) Honesty – all the people's representatives of the Constitutional Assembly shall act in good faith, that is, with sincere conviction about high purpose of their powers, dedication to the objective and sincere intentions to draft the new Constitution of Ukraine defined by the Law, regardless of political interests and considering the results of public discussions, democratic world's standards, and achievements of domestic science for putting it to an all-Ukrainian referendum;
- 9) Effectiveness and reasonable period of time – ensuring the development of the new Constitution of Ukraine with the lowest costs (without extra costs) and within a reasonable period of time, that is, within the shortest possible time, sufficient to develop a high-quality draft of the new Constitution of Ukraine.

Article 7. Legal Policies of the Constitutional Assembly

1. Procedure for forming, the powers, and arranging the activities of the Constitutional Assembly shall be established by this Law.
2. The Constitutional Assembly shall adopt the Constitutional Assembly's Regulations and other acts regulating the internal organization of its work in

accordance with this Law.

Article 8. The Constitutional Assembly's Powers

1. The Constitutional Assembly's powers shall include:

- 1) Drafting the new Constitution of Ukraine in case of the registration of popular demand to hold an all-Ukrainian referendum on adopting the new Constitution of Ukraine by the Central Election Commission;
- 2) Making a decision on approval of the draft of the new Constitution of Ukraine and putting it to an all-Ukrainian referendum;
- 3) Making a decision on confirmation of the immutability of the Constitution of Ukraine.

Article 9. Location of the Constitutional Assembly

1. The Constitutional Assembly shall exercise its powers in the capital of Ukraine – Kyiv.
2. According to the Constitutional Assembly's decision, certain meetings of the Constitutional Assembly and its bodies may take place in other cities of Ukraine.
3. The State Coat of Arms of Ukraine and the State Flag of Ukraine shall be the mandatory attributes to be present in the hall, where the Constitutional Assembly's meetings shall take place.

Article 10. Holding a Referendum on Adopting the New Constitution of Ukraine

1. The date of holding a referendum shall be specified by the President of Ukraine no earlier than two months and no later than three months after making a decision on putting the draft of the new Constitution of Ukraine to an all-Ukrainian referendum.
2. The all-Ukrainian referendum shall be held in accordance with the Law on Referendums.

Section II

COMPOSITION AND PROCEDURE FOR FORMING THE CONSTITUTIONAL ASSEMBLY

Chapter 1. The Constitutional Assembly's Composition and Status of People's Representatives

Article 11. The Constitutional Assembly's Composition

1. The Constitutional Assembly shall be represented by three hundred people's representatives to the Constitutional Assembly (hereinafter – the people's representatives) elected on the principle of the universal, equal, and direct suffrage by secret ballot.

Article 12. Status of People's Representatives

1. A people's representative is the person elected to the Constitutional Assembly as

prescribed by this Law, being authorized to exercise the right to determine and change the constitutional order in Ukraine on behalf of the Ukrainian people.

2. The President of Ukraine, any People's Deputy of Ukraine, any Member of the Cabinet of Ministers of Ukraine, any civil servant of Category A, any judge of the Constitutional Court of Ukraine, any judge of a court of general jurisdiction, any prosecutor or person who has taken any of these positions in the past 5 years, as well as those persons mentioned in the Articles 1, 2, 4, 8 of the Law of Ukraine "On Cleaning Power" shall not be elected as people's representatives.

3. The powers of a people's representative shall include:

- 1) Participating in meetings of the Constitutional Assembly and its bodies' activities;
- 2) Voting on all matters considered at meetings of the Constitutional Assembly and its bodies, to which he or she was elected;
- 3) Making suggestions and providing issues for further consideration by the Constitutional Assembly and its bodies;
- 4) Submitting the draft decisions of the Constitutional Assembly and its bodies;
- 5) Appearances with justification of his or her propositions on voting grounds, participating in debates, asking questions at any meeting of the Constitutional Assembly and during its bodies' activities;
- 6) Giving his or her opinion to complement the decision of the Constitutional Assembly's Working Committee, whose member is the elected people's representative;
- 7) Raising questions on expressing confidence to the Chairman of the Constitutional Assembly's Working Committee;
- 8) Resorting to both public and private institutions to obtain information necessary for exercising the powers;
- 9) Exercising other powers under this Law.

5. For ten years after adopting the new Constitution of Ukraine, prepared by the Constitutional Assembly with his or her participation at an all-Ukrainian referendum, a people's representative shall have no right to participate as a candidate in the presidential election and as a candidate for the membership in any legislative authorities. Moreover, he or she shall have no right to be appointed to any political office within executive authorities, as well as a civil servant occupying positions of Category A, judge of Ukraine or a prosecutor.

6. A people's representative shall be paid monthly remuneration in the amount of a salary of the People's Deputies of Ukraine from the date of his or her election as a people's representative till the termination of his or her powers.

7. After the entry into office, a people's representative shall receive a certificate issued by the Central Election Commission.

Article 13. Exercising the Powers of a People's Representative

1. During the term limit of the Constitutional Assembly, a people's representative shall exercise his or her powers on a permanent basis.

2. A people's representative shall not combine his or her powers with the implementation of other activities (except for teaching, research, and creative

activities).

3. A people's representative shall be obliged to personally participate in the activities of the Constitutional Assembly and its bodies, to which he or she was elected.

4. During the exercise of his or her powers, a people's representative shall comply with moral principles that are generally recognized in Ukraine, always maintain his or her dignity, as well as respect honour and dignity of others.

Chapter 2. Formation of the Constitutional Assembly

Article 14. Procedure for Forming the Constitutional Assembly

1. Formation of the Constitutional Assembly shall be carried out by electing people's representatives.

2. Elections shall be free and take place on the basis of universal, equal, and direct suffrage, guaranteed by the Constitution and Laws of Ukraine by secret and personal voting.

3. Basic principles of electing people's representatives shall be determined by this Law.

4. The organization and procedure for electing people's representatives shall be determined by a special Law, adopted by the Verkhovna Rada of Ukraine no later than one month from the date of commencement of the process of drafting the new Constitution of Ukraine, taking into account the basic principles of elections established by this Law.

Article 15. Election System

1. People's representatives shall be elected in accordance with the majoritarian election system of relative majority in 75 four-mandate territorial electoral districts with approximately equal number of voters.

2. Each voter shall have one vote.

Article 16. The Right to Nominate Candidates for People's Representatives

1. The right to nominate candidates for people's representatives shall be exercised only through self-nomination.

2. After the start of the election process and having submitted documents for registration to the Central Election Commission, a candidate for people's representative shall pass a deposit in the amount of twenty minimum salaries to the special account of the Central Election Commission. The deposit shall be returned to those candidates, who will win the mandate of a people's representative in the election.

3. Along with the documents necessary for registration, a candidate for people's representative shall submit no less than one thousand signatures of voters collected in his or her support to the Central Election Commission. Any signature in support of a candidate for people's representative shall be counted only if the voter, who affixes a signature, lives in the territory of the corresponding district.

4. Registration of candidates for people's representatives shall be carried out by the Central Election Commission.

Article 17. The Right to Vote in the Elections of People's Representatives

1. Citizens of Ukraine who are eligible to vote under Article 70 of the Constitution of Ukraine and living in the corresponding territorial electoral districts have the right to vote in these territorial electoral districts.

Article 18. The Right to Be Elected

1. A citizen of Ukraine who is entitled to vote in accordance with Article 70 of the Constitution of Ukraine may be elected as a people's representative.

2. A citizen of Ukraine who has been convicted of a crime against the electoral rights of citizens or crime concerning either official or professional activities related to the provision of public services, or another crime with sentence to imprisonment, if the criminal record is not removed or expunged in accordance with the law, as well as the persons referred to in Article 12 of this Law shall not be allowed to be elected as people's representatives.

Article 19. Principles of Electing People's Representatives

1. The election process shall be based on the following principles:

- 1) Compliance with the principles of electoral law, defined in the legislation of Ukraine;
- 2) Legality and prohibition of the illegal interference of anyone in the election process;
- 3) Political pluralism;
- 4) Transparency and openness;
- 5) Freedom of election campaigning and equal access of all candidates for people's representatives to the media regardless of their ownership forms.

2. Preparing and holding the elections of people's representatives shall be carried out exclusively by the funds from the State Budget of Ukraine, allocated for preparing and holding the elections of people's representatives, as well as the election funds of candidates for people's representatives.

Article 20. Electoral Districts and Electoral Precincts

1. Formation of 75 electoral districts shall be carried out by the Central Election Commission.

2. The territorial electoral districts shall meet the following requirements:

1) The territorial districts shall be formed by uniting three adjacent territorial electoral districts into one under the Law of Ukraine "On Election of the People's Deputies of Ukraine" with an approximately equal number of voters in each district.

2) The territorial electoral districts' boundaries shall be determined considering the administrative-territorial units' boundaries.

3. Regular and special electoral precincts in stationary health institutions formed on a permanent basis under the Law of Ukraine "On Election of the People's

Deputies of Ukraine” shall be used for preparing and holding the election and counting votes.

4. Regular electoral precincts shall be designed for preparing and holding the election and counting the electors’ votes at their place of residence.

5. Special electoral precincts shall be designed for holding the election of people (electors) with limited mobility in stationary health institutions.

Article 21. Election Commissions

1. The system of election commissions for preparing and holding the elections of people’s representatives shall be as follows:

1) The Central Election Commission;

2) District election commissions;

3) Precinct election commissions.

2. The Central Election Commission shall be of top level for all the territorial and precinct election commissions for local elections. The Central Election Commission shall manage and control the election commissions’ activities and provide them with advisory and methodological support. The Central Election Commission’s decisions shall be binding on all parties of the election process and executive bodies, authorities of the Autonomous Republic of Crimea, local governments, their officials and employees, enterprises, institutions, organizations, and associations of citizens.

3. The district election commission shall be formed by the Central Election Commission consisting of a chairman, deputy chairman, secretary, and other members of the commission in the amount of no less than fifteen persons and no more than twenty one persons. Persons for nomination to the district election commissions shall be the candidates for people’s representatives, who are registered by the Central Election Commission. A district election commission shall include no more than one representative from all the candidates for people’s representatives by drawing lots, held by the Central Election Commission in accordance with the procedure established by it.

4. Precinct election commissions shall be formed by district election commissions upon submission of city, town, and village councils, in whose territory they are located.

Article 22. Voter Lists

1. The authorities of the State Register of Voters shall make preliminary and revised lists of voters for regular electoral precincts under the Law of Ukraine “On State Register of Voters”, as well as make personal invitation cards. Preliminary and revised lists of voters for each regular electoral precinct shall be made in one copy.

Article 23. Information Support and Election Campaigning

1. Voters shall be provided with access to comprehensive, objective, and unbiased information necessary to make a conscious, informed, and free choice.

2. During the election process, the mass media shall place information materials by

order of the Central Election Commission.

3. The Central Election Commission shall provide manufacturing the same number of posters of candidates for people's representatives in the amount of no less than two copies of each poster for each electoral precinct.

4. During the election campaign to the Constitutional Assembly, political advertising and placement of election propaganda on advertising items and by advertising devices shall be prohibited.

Article 24. Voting

1. Voting during the elections of people's representatives shall be held by means of ballot papers for the elections of people's representatives. Protection degree of a ballot paper shall be determined by the Central Election Commission.

2. A voter shall make a mark "plus" ("+") or another mark certifying his or her intention in the tick box against the candidate, whom he or she votes for in a ballot paper.

Article 25. Election Results

1. A district election commission shall determine the results of the elections of people's representatives in a territorial electoral district on the basis of records on the voting results of precinct election commissions. The four candidates who have received the greatest support of the voters, who participated in the election, shall have the right to obtain the mandate of a people's representative.

Article 26. Replacement of People's Representatives

1. In case of early termination of powers of a people's representative elected in the territorial electoral district, the Central Election Commission shall appoint mid-term elections of the people's representative.

2. Mid-term elections of people's representatives shall be held only when the number of people's representatives is less than four-fifths of the total composition of people's representatives of the Constitutional Assembly.

Article 27. Authorization of People's Representatives and the Constitutional Assembly

1. The powers of people's representatives shall begin with the moment of their taking the oath.

2. The Constitutional Assembly's powers shall begin with the moment of taking the oath by no less than four-fifths of the total composition of people's representatives of the Constitutional Assembly.

Chapter 3. Termination of the People's Representatives' and Constitutional Assembly's Powers

Article 28. Termination of the Powers of a People's Representative

1. The powers of a people's representative shall be terminated simultaneously with

the termination of the Constitutional Assembly's powers.

2. The powers of a people's representative shall be earlier terminated in case of:

- 1) Resignation;
- 2) Entry into legal force of the judgment of conviction against him or her;
- 3) Court's declaring him or her incompetent or missing;
- 4) His or her death.

3. In the case provided for in Paragraph 1 of this Article, the powers of a people's representative shall be terminated on the day of the Constitutional Assembly's decision.

4. In the cases provided for in Paragraphs 2 and 3 of this Article, the powers of a people's representative shall be terminated from the date of the court's decision entry into legal force, and in the case of death of a people's representative – from the date of death of a people's representative.

Article 29. Termination of the Constitutional Assembly's Powers

1. The Constitutional Assembly's powers shall be terminated immediately upon the Constitutional Assembly's decision on the confirmation of the immutability of the Constitution of Ukraine or the Constitutional Assembly's decision on approval of the draft of the new Constitution of Ukraine and putting it to an all-Ukrainian referendum or on the last day of the first year of the Constitutional Assembly's powers.

Section III

ORGANIZATION OF THE CONSTITUTIONAL ASSEMBLY'S ACTIVITIES

Chapter 1. The Constitutional Assembly's Structure and Bodies

Article 30. The Constitutional Assembly's Chairman

1. The Constitutional Assembly's Chairman shall head the Constitutional Assembly and organize its activities.

2. The Constitutional Assembly's Chairman shall:

- 1) Preside at the Constitutional Assembly's meetings;
- 2) Sign the decisions taken by the Constitutional Assembly;
- 3) Ensure publication of the decisions taken by the Constitutional Assembly;
- 4) Represent the Constitutional Assembly;
- 5) Control over the performance of duties of the Constitutional Assembly's Deputy Chairmen and coordinate the activities of the Constitutional Assembly's Working Committees;
- 6) Organize the development, discussion, and consideration of the Document on holding public discussions, generalization of public discussions, the Concept of the new Constitution of Ukraine, and the draft of the new Constitution of Ukraine;
- 7) Organize the revision of the draft of the new Constitution of Ukraine to take into account the results of public discussions;

- 8) Nominate candidates for the position of Constitutional Assembly's Deputy Chairmen to the Constitutional Assembly;
- 9) Exercise other powers defined by this Law.

Article 31. Election of the Constitutional Assembly's Chairman

1. The Constitutional Assembly's Chairman shall be elected from people's representatives at the Constitutional Assembly's plenary meeting for a term of its office by secret ballot (submitting ballots).
2. Candidates for the position of Constitutional Assembly's Chairman shall be nominated by people's representatives at the Constitutional Assembly's meeting. A people's representative may be self-nominated.
3. Candidates for the positions of Constitutional Assembly's Deputy Chairmen shall be nominated by the Constitutional Assembly's Chairman.
4. The candidate who receives the most votes of people's representatives of the total composition of the Constitutional Assembly shall be considered elected as the Constitutional Assembly's Chairman.
5. Powers of the Constitutional Assembly's Chairman shall begin immediately after his or her election.
6. The Constitutional Assembly's Chairman may be recalled from office at any time by majority vote of the total composition of people's representatives of the Constitutional Assembly at his or her request, at the request of at least one-third of the total composition of people's representatives of the Constitutional Assembly due to unsatisfactory work performance when holding this position or through other circumstances which prevent the performance of his or her duties.

Article 32. The Constitutional Assembly's Deputy Chairmen

1. The Constitutional Assembly's Chairman shall have two Deputies.
2. The Constitutional Assembly's Deputy Chairmen shall be appointed and dismissed by resolution of the Constitutional Assembly's Chairman, adopted by a majority of the total composition of the Constitutional Assembly.
3. The Constitutional Assembly's Deputy Chairmen shall carry out certain powers of the Constitutional Assembly's Chairman concerning the distribution of duties, determined by the Constitutional Assembly's Presidium, as well as other powers under this Law.
4. In the absence of the Constitutional Assembly's Chairman or his or her inability to perform his or her duties, his or her duties shall be performed by the Constitutional Assembly's Deputy Chairman, who is older.

Article 33. The Constitutional Assembly's Presidium

1. The Constitutional Assembly's Presidium shall be a working body of the Constitutional Assembly.
2. The Constitutional Assembly's Presidium shall consist of the following ex officio members:
 - 1) The Constitutional Assembly's Chairman, who is the Head of the Constitutional

Assembly's Presidium;

2) The Constitutional Assembly's Deputy Chairman;

3) Heads of the Constitutional Assembly's Working Committees, whose number of members shall be determined by the Constitutional Assembly.

3. The Constitutional Assembly's Presidium shall:

1) Organize the Constitutional Assembly's activities and coordinate its bodies' activities;

2) Organize the preparation of issues for further consideration at its meetings;

3) Help people's representatives to perform their duties;

4) Prepare agendas of the Constitutional Assembly's meetings and submit them for the Constitutional Assembly to approve;

5) Allocate duties between the Constitutional Assembly's Deputy Chairmen;

6) Perform other organizational powers stipulated in this Law.

Article 34. The Constitutional Assembly's Working Committees

1. The Constitutional Assembly's Working Committee (hereinafter – the Working Committee) is a body of the Constitutional Assembly, which consists of people's representatives and carries out the development of the draft of the Constitution of Ukraine in certain directions and preliminary consideration of the issues referred to the Constitutional Assembly.

2. Working Committees shall be responsible to the Constitutional Assembly and accountable to it.

3. The Working Committees' activities shall be coordinated by the Constitutional Assembly's Presidium.

4. The number of Working Committees, their names, and terms of reference shall be approved at the Constitutional Assembly's plenary meetings (according to the process of drafting the new Constitution of Ukraine) by a majority of the total composition of people's representatives.

5. Working Committees shall be elected by the Constitutional Assembly for a term of its office in the composition of the Chairman, Deputy Chairman, and other members of the Working Committee.

6. People's Deputies of Ukraine, government officials, academics, social activists, and other experts may be involved into Working Committees with their prior consent.

Article 35. The Main Functions of the Constitutional Assembly's Working Committees

1. According to a subject matter of their expertise, the Working Committees shall carry out the following activities:

1) Development of the Document for consultations with the citizens on general provisions of the Constitution of Ukraine;

2) Summarizing the results of consultations with the citizens;

3) Drafting the Concept of the new Constitution of Ukraine;

4) Drafting the new Constitution of Ukraine;

5) Preliminary review and preparation of conclusions on the new Constitution of

Ukraine;

6) Summarizing the comments and suggestions received in the context of the draft of the new Constitution of Ukraine.

Chapter 2. The Constitutional Assembly's Rules of Procedure

Article 36. Organization of the Constitutional Assembly's Activities

1. The Constitutional Assembly's rules of procedure, recordkeeping, and working regulations of the Constitutional Assembly shall be established by this Law, Regulations, and other acts of the Constitutional Assembly.

2. Performance of the organizational, legal, documentary, informational, material, and technical support of the Constitutional Assembly, its bodies, and people's representatives shall be imposed upon the Legislation Institute of the Verkhovna Rada of Ukraine.

Article 37. The Constitutional Assembly's Activities

1. The Constitutional Assembly's activities shall consist of the Constitutional Assembly's plenary meetings and Working Committees' meetings.

Article 38. The First Meeting of the Constitutional Assembly

1. The Constitutional Assembly shall convene its first meeting no later than fifteen days after registration of at least three quarters of the total composition of people's representatives by the Central Election Commission.

2. Before assuming office, people's representatives shall take the following oath: "I pledge to the Ukrainian people to be conscientious and independent in carrying out my duties and make every effort to draft the new Constitution of Ukraine". The youngest people's representative of the Constitutional Assembly shall read out the oath.

3. The oldest people's representative shall lead the Constitutional Assembly's plenary meetings before the election of the Constitutional Assembly's Chairman.

Article 39. The Constitutional Assembly's Plenary Meetings

1. The Constitutional Assembly's plenary meetings shall be considered valid if attended by at least three-fourths of its total composition.

2. The Constitutional Assembly's plenary meetings shall be held openly.

3. The Constitutional Assembly's plenary meetings shall be headed by the Constitutional Assembly's Chairman, and in his or her absence – the older of his or her Deputies.

4. The Constitutional Assembly's decisions shall be taken exclusively at its plenary meetings after discussing issues by personal roll-call voting of people's representatives, except as provided by this Law.

5. The draft agenda shall be drawn up by the Constitutional Assembly's Presidium and approved by the Constitutional Assembly.

6. The Constitutional Assembly's plenary meetings shall be put down in shorthand. The decisions taken at them shall be fixed with a minutes signed by the person

presiding at the meeting.

7. Procedure for holding the Constitutional Assembly's meetings, putting them down in shorthand, making minutes, preparing and making decisions, as well as other procedural issues of the Constitutional Assembly shall be determined by the Constitutional Assembly's Regulations.

8. Information on the agenda and venue of the Constitutional Assembly's meetings, as well as the transcripts of meetings and texts of the decisions taken shall be made publicly available on the official website of the Constitutional Assembly.

Article 40. Meetings of the Constitutional Assembly's Working Committees

1. The Working Committee's meetings shall be considered valid if attended by at least half of the total composition of the Working Committee's people's representatives.

2. The Working Committee's meetings shall be held openly.

3. Involved government officials and People's Deputies of Ukraine, scientists and other specialists in a consultative capacity (with their consent) may participate in the Working Committee's meetings.

4. Meetings of the Constitutional Assembly's Working Committees shall be headed by the Working Committee's Head, and in his or her absence – his or her Deputy.

5. The Working Committee's decisions shall be taken exclusively at its meetings after discussing issues by personal voting of people's representatives by majority vote of the total composition of the Working Committee's people's representatives.

6. Any Working Committee's meeting shall be put down in shorthand and fixed with a minutes signed by the person presiding at the meeting.

7. Procedure for holding the Working Committee's meetings, joint Working Committee's meetings, preparing issues for further consideration and other procedural issues of the Working Committee's activities shall be defined in the Constitutional Assembly's Regulations.

8. Information on the agenda and venue of the meetings of the Constitutional Assembly's Working Committees, as well as the transcripts of meetings and texts of the decisions taken shall be made publicly available on the official website of the Constitutional Assembly.

Article 41. Drafting the New Constitution of Ukraine

1. Drafting the new Constitution of Ukraine shall provide preparing the Document on holding public discussions on general provisions of the Constitution of Ukraine, summarizing the results of public discussions, the Concept of the new Constitution of Ukraine, and the draft of the new Constitution of Ukraine.

2. Preparing the Document on holding public discussions on general provisions of the Constitution of Ukraine and summarizing the results of public discussions shall be carried out by the Working Committees according to their expertise and approved at the Constitutional Assembly's plenary meetings.

3. The Concept of the new Constitution of Ukraine shall be developed by the Working Committees with the mandatory consideration of the results of public discussions and approved at the Constitutional Assembly's plenary meeting by no

less than two-thirds of its total composition.

4. The Concept of the new Constitution of Ukraine shall be submitted for public discussion, the results of which shall be summarized by the Working Committees and included in the Concept's text.

5. The draft of the new Constitution of Ukraine shall be developed by the Working Committees according to the Concept of the new Constitution.

6. According to the working results, the Working Committees shall submit the drafts of the relevant parts of the new Constitution of Ukraine to the Constitutional Assembly's Presidium.

7. Other People's Deputies of Ukraine, government officials, academics, social activists, and experts may be involved into drafting the new Constitution of Ukraine with their consent.

8. Before it is approved by the Constitutional Assembly, the draft of the new Constitution of Ukraine shall be put to public discussion, the results of which shall be considered and taken into account by the Constitutional Assembly.

Article 42. Examination of the Draft of the New Constitution of Ukraine

1. By the Constitutional Assembly's decision or on behalf of the Constitutional Assembly's Chairman, or by the Constitutional Assembly's Working Committee's decision, the draft of the new Constitution of Ukraine may be submitted to a scientific, legal or another examination.

2. The expert opinions shall be submitted to the Constitutional Assembly within 20 days of receipt of the request from the Constitutional Assembly and its bodies. If the findings are not obtained within the time specified, it shall be considered that any remarks are absent.

Article 43. Consideration of the Draft of the New Constitution of Ukraine

1. In accordance with the procedure of three readings, consideration of the draft of the new Constitution of Ukraine shall include the following steps:

1) The first reading – discussion of the basic principles, regulations, criteria, draft structure, and adoption of the Concept of the new Constitution of Ukraine;

2) The second reading – article-by-article discussion and adoption of the draft in the second reading;

3) The third reading – approval of the draft in general.

Article 44. Public Discussion on the Draft of the New Constitution of Ukraine

1. The draft of the new Constitution of Ukraine shall be developed on the basis of a broad public discussion.

2. The draft of the new Constitution of Ukraine shall obligatorily pass the procedure of public discussion before approval by the Constitutional Assembly and putting to a popular referendum.

3. After approval by the Constitutional Assembly, the draft of the new Constitution of Ukraine shall be immediately published in the Official Gazette of Ukraine and on the Constitutional Assembly's website.

4. Organization of public discussions shall be entrusted to the Constitutional

Assembly's Presidium.

5. The public discussion results shall be obligatorily considered and summarized by the Constitutional Assembly's Working Committees, as well as considered by the Constitutional Assembly.

Article 45. The Constitutional Assembly's Decisions

1. The Constitutional Assembly's decisions shall be the final decisions on the confirmation of the immutability of the Constitution of Ukraine or approval of the draft of the new Constitution of Ukraine and putting it to an all-Ukrainian referendum.

2. The Constitutional Assembly's decisions shall be taken by a majority vote of the total composition of the Constitutional Assembly's people's representatives, except as provided by this Law.

3. The Constitutional Assembly's decisions shall take effect from the date of adoption, except as provided by this Law.

Article 46. Confirmation of the Immutability of the Constitution of Ukraine

1. The Constitutional Assembly shall consider the immutability of the Constitution of Ukraine by suggestion of the Constitutional Assembly or at least one-third of the people's representatives.

2. The decision on the confirmation of the immutability of the Constitution of Ukraine shall be adopted by at least two-thirds of the total composition of the Constitutional Assembly by two consecutive votes, which shall not take place in one day.

3. The decision on the confirmation of the immutability of the Constitution of Ukraine shall be signed by the Constitutional Assembly's Chairman and immediately submitted to the President of Ukraine.

4. The decision on the confirmation of the immutability of the Constitution of Ukraine shall enter into force upon adoption by the Constitutional Assembly.

Article 47. The Decision on Putting the New Constitution of Ukraine to an All-Ukrainian Referendum

1. At its plenary meetings, the Constitutional Assembly shall decide on approval of the draft of the new Constitution of Ukraine and put it to an all-Ukrainian referendum by no less than two-thirds of the total composition of the Constitutional Assembly of Ukraine by two consecutive votes, which shall not take place in one day.

2. The decision on approval of the draft of the new Constitution of Ukraine and putting it to an all-Ukrainian referendum shall be signed by the Constitutional Assembly's Chairman and immediately submitted to the President of Ukraine.

Article 48. Official Publication of the Final Decisions of the Constitutional Assembly

1. The final decisions of the Constitutional Assembly and all addendums to them, as well as the documents and acts adopted by the Constitutional Assembly shall be

obligatorily and immediately published in the Official Gazette of Ukraine and on the Constitutional Assembly's website.

2. Other Constitutional Assembly's decisions and transcripts of the Constitutional Assembly's meetings shall be made publicly available on the Constitutional Assembly's website.

Section IV

GUARANTEES OF THE CONSTITUTIONAL ASSEMBLY AND PEOPLE'S REPRESENTATIVES

Article 49. Ensuring the Exercise of Powers of a People's Representative

1. Any people's representative shall not be detained or arrested before judgment without the Constitutional Assembly's consent.

2. People's representatives shall not be held legally liable for any voting results or the statements given at the Constitutional Assembly's and Working Committees' meetings.

3. Nobody shall have the right to limit the exercise of powers of a people's representative, except as provided by this Law.

4. Powers of a people's representative, as well as his or her constitutional rights and freedoms shall not be restricted under martial law or state of emergency in Ukraine or in its particular areas.

5. The State shall guarantee the conditions necessary for the effective exercise of powers by a people's representative.

6. During the term of the Constitutional Assembly's office, social security and remuneration of people's representatives shall be equal to remuneration and social security of the People's Deputies of Ukraine.

Article 51. Guarantee of the Labour Rights of People's Representatives

1. During the exercise of powers by people's representatives, their previous job (position) shall be preserved.

2. Dismissal of a people's representative or transferring him or her to another job without his or her consent during his or her being a people's representative shall be considered a gross violation of labour law that entails criminal responsibility under the law.

Article 52. Guarantees of the Constitutional Assembly's Activities

1. Any interference of the state and local governments, as well as their officials and officers in the Constitutional Assembly's activities shall not be allowed.

Article 53. Financing the Constitutional Assembly

1. Financing the Constitutional Assembly shall be provided from the Reserve Fund of the Cabinet of Ministers of Ukraine.

Section V

FINAL AND TRANSITIONAL PROVISIONS

1. This Law shall take effect on the date of publication.
2. The Constitutional Assembly shall exercise its powers in the premises of the architectural ensemble of St. Sophia of Kyiv.
3. If it is impossible to hold elections to the Constitutional Assembly in the temporarily occupied territories of Ukraine, the voters registered in these territories shall be provided with conditions for voting in another country's territory in accordance with the Law.

The Chairman of the Verkhovna Rada of Ukraine