

CABINET OF MINISTERS OF UKRAINE

RESOLUTION

of October 12, 2011 N 1049

Kyiv

On Approval of the Contest Regulations to Select Programs (projects, events), developed by Public Organizations and Creative Unions, for Implementation of Which Financial Support Is Granted

For the purpose of providing financial assistance to programs (projects, events), developed by public organizations and creative unions, the Cabinet of Ministers of Ukraine **shall hereby resolve:**

1. To approve the Regulations for holding of contests to select programs (projects, events), developed by community organizations and creative unions, for implementation of which financial support is granted (hereinafter referred to as “the Regulations»), attached hereto.

2. Ministries and other central and local bodies of executive power shall:

within two months, submit proposals regarding bringing regulatory instruments of the Cabinet of Ministers of Ukraine in consistency with the present Regulations;

bring their own regulatory instruments in consistency with the present Regulations.

3. To recommend bodies of local self-government to apply the Regulations in the course of selection of programs (projects, events), developed by social organizations and creative unions, implementation of which financial support from local budgets is provided.

4. To declare invalid the Resolutions of the Cabinet of Ministers of Ukraine according to the list attached hereto.

Prime Minister of Ukraine Mykola Azarov

Ind. 17

APPROVED

**by Resolution of the Cabinet of Ministers of Ukraine
of October 12, 2011 N 1049**

Regulations

**on Holding Contests to Select Programs (projects, events),
developed by Public Organizations and Creative Unions,
for Implementation of Which Financial Support Is Granted**

1. The present Regulations shall establish the procedures for organization and holding of contest to determine programs (projects, events) developed by public organizations and creative unions, for implementation of which financial support is provided (hereinafter referred to as “programs (projects, events) from the state and local budgets (hereinafter referred to as “budget”), and for monitoring of their implementation.

These Regulations shall not apply to cases, envisaged in the Ukrainian legislation, of financial support granted from the budgets to national sports societies, public organizations of active in the sphere of sports, for implementation of programs and events of aerospace profile among children and youth, for national public organizations of disabled persons and war veterans and their unions; for support of enterprises and organizations in the non-industrial sphere under the Union of Deaf Persons and the Union of Blind Persons; and for companies and associations of the abovementioned societies that channel budgetary funds for maintenance of their own socio-cultural units; for national creative unions and their regional branches.

2. The terms used throughout these Regulations shall have the following meanings:

event - a set of actions required to fulfill a particular task by a public organization or a creative unions, within a program or a project, or separately within a specified period of time;

contest documentation - a set of documents prepared by a contest organizer and containing requirements to prepare contest proposals by public organizations and creative unions;

contest proposal - a set of documents prepared by a contest participant and submitted to the contest organizer;

contest organizer - the central or local body of executive power that is the budget owner;

program - a set of tasks and activities that are designed and implemented by a public organization or a creative union to resolve major issues in the development of the state and society and are designed for a long term;

project - a set of measures developed and implemented by a public organization or a creative unions and aimed at achieving a specific goal within a specified period of time (as a rule, not more than one year);

contest participant — a public organization or a creative union.

Announcement of a contest to select programs (projects, events), developed by social organizations and creative unions, for implementation of which financial support is provided (hereinafter referred to as “the contest»), and requirements to contest proposals shall be made public by the contest organizer within 30 days before the end of acceptance of the documents on its official website and in other appropriate ways. In case the financial support of programs (projects, events) is provided from the state budget, the organizer

shall send the relevant information, within a the specified time period, to the Secretariat of the Cabinet of Ministers of Ukraine to be placed on the government web site "Civil Society and Government."

The contests shall be held after the state (local) budget for the respective fiscal period has been approved.

4. The contest documentation shall specify the following:

goals and priorities that are consistent with national and/or regional programs and at implementation of which programs (projects, events), submitted for participation in the contest, should be aimed;

list of activities that can be supported by the contest organizer, their target audiences;

maximum amount of budget funding for programs (projects, events);

requirements to the contest proposals;

address at which contest proposals are accepted;

terms and conditions for submission of contest proposals;

time limits of the contest.

The contest documentation shall also include specimens of document forms, approved by the contest organizer.

5. Contest proposals may be submitted by public organizations and creative unions that are legal entities registered in compliance with the prescribed procedures not later than two years prior to the announcement of the contest.

In case financial support for implementation of programs (projects, events) is provided from the state budget, contest proposals may be submitted by public organizations and creative unions with the national status.

A public organization or a creative union may submit several contest proposals for the contest.

6. Contest proposals shall be submitted to the contest organizer in hard copy and in an electronic form to the address and within the time frames specified in the contest announcement.

The contest organizer shall issue a certificate to contest participants, indicating the date of receipt of the contest proposal.

The contest proposal submitted shall not be returned to contest participants.

7. The contest proposal shall include the following:

an application for participation in the contest, prepared by the form approved by the contest organizer, specifying the name of the public organization or the creative union, and the name of the program (project, event), signed by the director or authorized person of the public organization or the creative unions, with by its seal affixed (if available);

an excerpt from the EDRPOU code, a copy of the statute (regulations) of the public organization or the creative unions, duly certified;

a copy of the decision by the State Tax Service about inclusion of the social organization or the creative union to register of non-profit institutions and organizations;

a copy of the tax report of the public organization or the creative unions for the previous two years;

description and estimate of costs necessary to implement the program (project, event), following the standard form approved by the contest organizer. The program (project, event) description must specify goals and objectives, implementation plan with time frames indicated, and responsible implementing agents and at each stage; expected results and specific performance indicators of the program (project, event); information about the target audience; other public organizations and creative unions, involved in the program (project, event); methods to inform the public about the progress of the program (project, event); a detailed calculation of costs and funding sources;

letters of confirmation from other public organizations and creative unions involved in the implementation of the program (project, event);

information about the activities of public organizations or creative unions, in particular regarding their experience of program (project, event) implementation during the past two years, financed from the budget and other funding sources; funding sources of the public organization or creative union, their physical infrastructure and staffing.

The contest proposal shall be prepared in the state language.

Responsibility for the accuracy of the information contained in the proposals shall rest with the contest participants.

8. Public organizations and creative unions shall not be permitted to participate in the contest if:

documents comprising the contest proposal contain false information about the public organization or the creative union;

the public organization or the creative union do not meet the requirements of paragraph 5 of these Regulations;

the public organization or the creative union refused to participate in the contest by sending a formal letter to the organizer;

public organization or the creative union are at the stage of their termination;

the contest proposal was submitted after expiry of the time limit for submission, is incomplete or in violation of the requirements contained in paragraph 7 of these Regulations;

the program (project, event) specified in the proposals do not comply with the national and/or the respective administrative-territorial level of their implementation;

activities envisaged by the contest proposal are focused on supporting a political party;

a fact of a violation of budget legislation requirements by the public organization or the creative union in the previous budget period was detected.

9. For consideration of proposals and monitoring of programs (projects, events), the contest organizer shall create a contest commission consisting of at least seven persons,

and approve its personal composition. A representative of the contest organizer shall be appointed Chairperson of the contest commission.

The contest commission shall approve its rules of work at its first meeting.

10. The contest shall include representatives of the contest organizer, Chairperson (authorized representative) of the public council established under the contest organizer according to the Resolution of the Cabinet of Ministers of Ukraine, dated November 3, 2010, N 996 ([996-2010-p](#)) "On public participation in the formulation and implementation of the state policy", representatives of public organizations, creative unions, academic institutions and experts relevant to the subject matter of the contest.

The number of the contest organizer's representatives may not exceed one half the number of members of the contest commission (hereinafter referred to as "the commission members").

The commission members perform their duties on a voluntary basis.

A person who is an executive officer, a member of governing bodies or an employee of public organizations or creative unions, which submitted contest proposal for the contest, may not be a commission member.

Commission members shall be obligated to prevent conflict of interest in the course of consideration of contest proposals.

Before considering contest proposals, commission members shall must disclose existence of a conflicts of interest and provide an explanation of the circumstances that might prevent them from objective performance of their duties.

Any member of the commission who was found to be in a conflict of interests shall be removed from it.

If a conflict of interest was revealed after the commission approved its decision on the winner, the decision shall be subject to revision.

11. The commission shall hold its meetings as needed, with a five-day advance notice sent to the meeting participants.

The commission meetings shall be regarded as competent if attended by at least two-thirds of the contest commission members.

12. Decisions of the contest commission shall be taken adopted by a majority of the commission members present at the meeting and registered in the minutes record.

In case of a tie vote, the vote by Chairperson of the contest commission shall be decisive.

Minutes of the contest commission meetings shall be signed by the attending members.

13. Decisions taken by the contest commission shall be communicated to the participants and, within three days' term, posted on the official website of the contest organizer.

A contest participant, upon request, may be issued a copy of the minutes of the meeting of the contest commission.

14. Contests shall be held in two stages. At the first stage, the contest commission considers contest proposals for compliance with the requirements specified in paragraphs 5, 7 and 8 hereof.

As may be necessary, the contest commission may decide to verify accuracy of the information contained in the contest proposal. The verification shall be conducted following the procedures ([z0824-12](#)) established by the contest organizers.

Proceeding from consideration of the contest proposals and verification of the information contained in the contest proposal, the contest commission shall select the contest proposals permitted to participate in the second stage of the contest.

In case a public organization or a creative union have not implemented a program (project, event), for which financial support was provided over the previous two fiscal periods, about which a decision was taken in accordance with paragraph 22 of these Regulations, the issue of advisability of participation of its contest proposals in the second stage of the contest shall be considered by the contest commission.

If the only one contest proposal was permitted for participation in the contest, or none were permitted, the contest committee may decide to extend the time period for submission of contest proposals. The specified period may not exceed 30 calendar days from the date when such decision was approved.

During the second stage of the contest, the contest commission shall hold open defense of contest proposals, where all contest participants whose contest proposals were permitted to participate in the second stage, are invited.

Protection Defense of the contest proposal shall be conducted by head of the public organization or the creative union, which is a contest participant, or their authorized representative.

In the event when a participant waived the open contest proposal defense in writing, the contest commission shall decide to terminate their further participation in the contest, sending a written notice about the fact.

15. The contest commission shall evaluate the contest proposals by the following criteria:

compliance with the purposes and priority objectives as specified in the contest documentation;

the expected impact of the program (project, event);

efficient use of budget funds allocated for the program (project, event) financing;

full coverage of the target audience;

innovativeness;

level of human resource and physical infrastructure support required for the program (project, event) implementation; experience in the relevant field of activity;

ability of the public organization or the creative union to continue implementation of the program (project, event), or carry out activities after termination of financial support.

The members of the contest commission shall individually evaluate contest proposals by each of the criteria under these Regulations on a scale of zero to 10 points. The proposal

evaluation results shall be attached to the minutes record of the meeting of the contest commission.

At its meeting, the contest commission shall summarize the contest proposals evaluation and decide to determine the contest winners,, with account to the amount of budget funds, envisaged by the contest organizer and allocated for implementation of the respective programs (projects, events).

In case contest proposals score equal number of points, the decision on the contest winner shall be taken by the commission members by open vote. Any member of the commission may express their opinion on the decision they have taken. In case of a tie vote, the vote by Chairperson of the contest commission shall be decisive.

The priority of funding of programs (projects, events) shall be determined according to the number of points scored by the contest proposals in the course of the evaluation.

16. The contest commission shall communicate its decision on determining the winners, within three days from the date of its adoption, to the public organizations and creative unions that took part in the second stage of the contest, publish it on the official website of the contest organizer, and in other acceptable ways.

In case of the financial support being provided for implementation of programs (projects, actions) from the state budget, the contest organizer shall send about the winner, within three days, to the Secretariat of the Cabinet of Ministers of Ukraine to be posted on the governmental website "Civil Society and Government."

17. The decision taken by the contest commission may be disputed within a week with the contest organizer, and in case of disagreement with the decision of the contest organizer - in accordance with the established procedures.

18. Proceeding from the decision of the contest commission on determining the contest winners, the contest organizer shall take a decision on conclusion of agreements on implementation of the program (project, event) (hereinafter referred to as "the Agreement").

The Agreement must contain a description and implementation plan for the program (project, event), specifying time frames and responsible implementing agents at each stage; the contest organizer's responsibilities for funding of the program (project, event) specifying time frames for such funding; responsibilities of the public organization or creative union regarding disclosure and presentation to the contest organizers of information about the time and venue of the events, as well as of materials prepared in the framework of the program (project, event) implementation; quarterly and final reports; the parties' rights, obligations and responsibilities in case of early termination of the program (project, event) implementation or their funding; terms and conditions, provided under the law and mutually agreed conditions.

The Agreement shall specify the public organization's or the creative union's commitment to return the budget funds if the program (project, event) has not been implemented.

The public organization or creative unions that were declared winner in the contest, shall take part in co-financing of the program (project, event) at the rate established by the contest organizer (but not less than 25 percent of the required funding).

The contest winner may make its contribution to the program (project, event) implementation in the form of tangible or intangible resources, including payment or the rent of premises, use of vehicles and equipment.

In the event the winner waives the program (project, event) implementation in writing, the contest Commission shall take a decision on the declaring the public organization or creative union, whose contest proposal scored more points than those by other participants that were not recognized as winners, to be the winner.

19. The contest organizer shall place action plans and other information related to the program (projects, events) implementation, developed by public organizations and creative unions, on its official web site.

20. The contest organizer, on the quarterly basis, shall conduct the program (project, event) monitoring by the following indicators:

amount of budget funds spent for the program (a project, event) implementation;

achievement, in the course of the program (project, event) implementation, of goals and objectives identified for each stage of implementation;

consistency of the program (project, event) implementation performance indicators to the planned performance indicators;

degree of coverage of the target audience within the program (project, event) implementation;

level of the target audience's interest and satisfaction of their needs as a result of the activities carried out within the framework of the program (project, event) implementation.

Monitoring results shall be published on the quarterly basis on the official website of the contest organizer.

21. Within one month after the program (project, event) implementation, the public organization or creative union shall provide the contest organizer with a summary report, made by in the form specified by the contest organizer, on the Agreement fulfillment and the amount of budget funds used.

The summary report shall contain a description and list of tasks performed within the program (project, event); program (project, event) implementation performance indicators; explanations for default of contract in full or partially (as may be necessary); assessment of the level of the target audience's interest and satisfaction of their needs that the program (project, event) was aimed at. The contest organizer shall have the right to impose additional requirements on the content of the report.

22. Within one month upon receipt of the final report of the public organization or the creative unions, the contest organizer shall prepare its final conclusion based on the program (project, event) monitoring results, providing information on fulfillment of the indicators specified in paragraph 21 of these Regulations, and terms and conditions of the Agreement.

The contest organizer shall publish its final conclusion the monitoring results, along with the summary report of the public organizations or creative union, on its official website, and submit those to the contest commission. In case financial support to a public

organizations or creative union for the program (project, event) implementation was provided from the state budget, the contest organizer shall send the respective materials to the Secretariat of the Cabinet of Ministers of Ukraine to be placed on the governmental website "Civil Society and Government."

Proceeding from the final report on the monitoring results and final report of the public organization or creative unions, the contest commission may decide that the program (project, event) has not been implemented, which, within three days, shall be published on the official website of the contest organizer.

Proceeding from the respective decision of the contest commission, the contest organizer may decide on the return of the budget funds, which, within three days, shall be communicated to the public organization or creative union.

Upon receipt of the contest organizer's decision on the return of the budget funds, the public organization or creative union shall return the budget funds, within one week, to the contest organizer's account open with the territorial office of the Treasury, which funds shall be transferred to the respective budget within two work days.